

08-23328-CD
Atlantic Credit al vs Glenn L. Finley

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

ATLANTIC CREDIT & FINANCE INC.
SUCCESSOR IN INTEREST TO BANK OF
AMERICA

(Plaintiff)

c/o Apothaker & Associates, P.C.
520 Fellowship Road C306
(Street Address)
Mount Laurel, NJ 08054
(City, State, ZIP)

CIVIL ACTION

No. 2008-2328-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

GLENN L FINLEY

(Defendant)

713 TREASURE LK
(Street Address)
DU BOIS, PA 15801
(City, State, ZIP)

ATLANTIC CREDIT & FINANCE INC.
SUCCESSOR IN INTEREST TO BANK OF
AMERICA

(Plaintiff)

5 **FILED** PD \$95.00 AMY
m 12.15cm 1CC Atty
DEC 04 2008 1CC Shfl

William A. Shaw
Prothonotary/Clerk of Courts

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

520 Fellowship Road C306
Mount Laurel, NJ 08054
(Address)
800-672-0215
(Phone)

(Signature)

Our File No.: 185951
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

ATLANTIC CREDIT & FINANCE INC.) COURT OF COMMON PLEAS
SUCCESSOR IN INTEREST TO BANK) CLEARFIELD COUNTY
OF AMERICA)
c/o Apothaker & Associates, P.C.) NO.:
520 Fellowship Road C306)
Mount Laurel, NJ 08054)
Plaintiff,)
vs.)
GLENN L FINLEY)
713 TREASURE LK)
DU BOIS, PA 15801)
Defendant.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER 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 ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

Our File No.: 185951
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

ATLANTIC CREDIT & FINANCE INC.) COURT OF COMMON PLEAS
SUCCESSOR IN INTEREST TO BANK) CLEARFIELD COUNTY
OF AMERICA)
c/o Apothaker & Associates, P.C.) NO.:
520 Fellowship Road C306)
Mount Laurel, NJ 08054)
Plaintiff,)
vs.)
GLENN L FINLEY)
713 TREASURE LK)
DU BOIS, PA 15801)
Defendant.

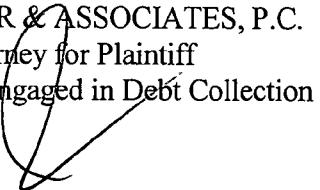
**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is ATLANTIC CREDIT & FINANCE INC. SUCCESSOR IN INTEREST TO BANK OF AMERICA c/o Apothaker & Associates, P.C., 520 Fellowship Road C306, Mount Laurel, NJ 08054.
2. Defendant(s) is/are GLENN L FINLEY, an adult individual residing at 713 TREASURE LK DU BOIS, PA 15801.
3. Plaintiff, ATLANTIC CREDIT & FINANCE INC. SUCCESSOR IN INTEREST TO BANK OF AMERICA, is the Assignee and Successor in Interest of Account #4888931992967971; and said account was issued to Defendant(s) by BANK OF AMERICA, the Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$13,271.41. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".

7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$13,271.41 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
David J. Apothaker, Esquire

Dated: 11/26/2008

Our File No.: 185951

VERIFICATION

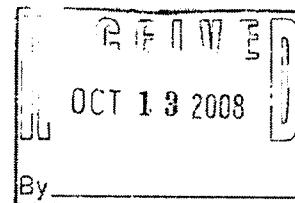
Cameron O. Gray, hereby states that I am
Authorized Representative for Plaintiff in this action, and that I am authorized
to take this Verification, and that the statements made in the foregoing Civil Action
Complaint are true and correct to the best of my knowledge, information, and belief. The
undersigned understands that the statements therein are made subject to the penalties of 18
Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Cameron O. Gray
Plaintiff

DATE:

185951

ATLANTIC CREDIT & FINANCE, INC.
v.
GLENN L FINLEY



AFFIDAVIT OF DEBT AND VERIFIED BILL OF PARTICULARS

The undersigned being first duly sworn according to law, deposes and says that she is familiar with the policies and practices, as well as the books and records of the Plaintiff with respect to the matters stated herein, and based on information and belief states as follows:

1. Plaintiff's principal business consists of purchasing charged off receivables.
2. The Defendant defaulted on BANK OF AMERICA Account No. 4888931992967971. Said Account was charged off on 2/28/2008 and subsequently sold to Atlantic Credit & Finance, Inc with a balance of \$12703.41.
3. Plaintiff purchased or was otherwise assigned this charged off account along with other debts. As a result of the foregoing sale and assignment, the Plaintiff succeeded to all right, title and interest in the charged off account and it now owns the account.
4. Plaintiff conducted a due diligence investigation to determine, among other things, the accuracy of the account information provided to ascertain whether the statute of limitations was a bar to demand or institution of suit. Further, Plaintiff and/or its predecessor entered into a contract where the predecessor made representations and warranties that 1) it had clear right, title and interest in the account; 2) the account was free and clear of all liens and encumbrances; and 3) it had the power, authority, and full right to sell and convey its interest in the account.
5. According to Plaintiff's records, the last payment date was 1/31/2008 in the amount of \$ 215.00. After application of all payments, credits, adjustments, and lawful offsets, if any, there is still a balance due and owing on this indebtedness of \$12,703.41.
6. The internal Account Statement of Plaintiff is attached hereto as Exhibit A and displays the account information that was provided to Plaintiff at the time of purchase and assignment.

The foregoing is true and correct to the best of my knowledge and belief.

By: _____


Carol Jodrey
Authorized Representative

Subscribed and sworn before me, September 18, 2008 .


Notary Public: Amanda Guthrie



THIS COMMUNICATION IS FROM A DEBT COLLECTOR



CREDIT & FINANCE INCORPORATED
PO Box 13386 • Roanoke, VA 24033

Account Statement

Debtor Information

GLENN L FINLEY
713 TREASURE LK
DU BOIS, PA 15801

Account Information

Original Creditor Account Number:
4888931992967971

Original Creditor: **BANK OF AMERICA**

Original Creditor Last Pay Date: **1/31/2008**

Original Creditor Last Payment Amount: **\$ 215.00**

Original Creditor Charge Off Date: **2/28/2008**

ACF ID Number: **3443778**

SSN: XXX-XX-2753

Statement Date	Purchased Balance	ACF Payment Activity	Current Balance
September 18, 2008	\$12,703.41	\$.00 ACF Payment Date:	\$12,703.41

892 XSV

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2328-CD

ATLANTIC CREDIT & FINANCE INC., SUCCESSOR
vs
GLENN L. FINLEY

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 01/03/2009

HEARING:

PAGE: 105007

591-1803 cell

DEFENDANT: GLENN L. FINLEY
ADDRESS: 713 TREASURE LK
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

ATTEMPTS

12-10-08 N/A

VACANT

OCCUPIED

12-15-08-2:57pm
NOT home

SHERIFF'S RETURN

NOW, 12-17-2008 AT 2:17 AM / PM SERVED THE WITHIN

COMPLAINT ON GLENN L. FINLEY, DEFENDANT

BY HANDING TO Glenn L. Finley / Defendant

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED Route 255 Bee Line Highway - Sheetz Parking lot
DUBOIS, PA - 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR GLENN L. FINLEY

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO GLENN L. FINLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nevels
Deputy Signature

Jerome M. Nevels
Print Deputy Name

FILED

DEC 22 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105007
NO: 08-2328-CD
SERVICES 1
COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE INC., SUCCESSOR
vs.
DEFENDANT: GLENN L. FINLEY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	112781	10.00
SHERIFF HAWKINS	APOTHAKER	112781	90.00

S
FILED
03:35pm
MAR 25 2009

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 185951
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215

Attorney for Plaintiff

FILED Atty pd.
M/23/2009 20:00
APR 23 2009
William A. Shaw
Prothonotary/Clerk of Courts
ICC Atty
ICC Notice
to Def.

ATLANTIC CREDIT & FINANCE INC.
SUCCESSOR IN INTEREST TO BANK OF
AMERICA

Plaintiff,
vs.
GLENN L FINLEY
Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
)
) NO.: 2008-2328-CD
)
) Civil Action
)

PRAECLPICE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment against Defendant, GLENN L FINLEY, in the default of an Answer, in the amount of \$13,760.85 computed as follows:

Amount claimed in complaint:	\$13,271.41
Amount Paid:	-\$(0.00)
Interest from November 26, 2008 to 04/16/09 at the legal interest rate of 6.000 per annum	\$294.44
Costs	\$195.00
Attorney fees	\$0.00
 TOTAL	\$13,760.85

I hereby certify that the appropriate Notices of Default, as attached have been mailed in accordance with Pa.R.Civ.P. 237.1 on the dates indicated on the Notices.

I certify Defendant, GLENN L FINLEY, last know address is 713 TREASURE LK DU BOIS, PA 15801.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By:

David J. Apothaker

Dated: 4/16/2009

Our File No.: 185951
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

ATLANTIC CREDIT & FINANCE) COURT OF COMMON PLEAS OF
INC. SUCCESSOR IN INTEREST TO) CLEARFIELD COUNTY
BANK OF AMERICA)
)
Plaintiff,) NO.: 2008-2328-CD
vs.)
)
GLENN L FINLEY) Civil Action
)
)
Defendant.

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 713 TREASURE LK DU BOIS, PA 15801.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



Military Status Report

Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
FINLEY	GLENN L		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
 Department of Defense - Manpower Data Center
 1600 Wilson Blvd., Suite 400
 Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: FERYQCVKFP

**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

ATLANTIC CREDIT & FINANCE INC.
SUCCESSOR IN INTEREST TO BANK OF
AMERICA

vs.

GLENN L FINLEY

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
)
)
)
NO. 2008-2328-CD
)

To: GLENN L FINLEY
713 TREASURE LK
DU BOIS, PA 15801

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: April 01, 2009

IMPORTANT NOTICE

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 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 PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641


DAVID J. APOTHAKER, ESQUIRE
APOTHAKER & ASSOCIATES, PC
A Law Firm Engaged in Debt Collection
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff
Attorney ID #38423

892 KSC
185451

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2328-CD

ATLANTIC CREDIT & FINANCE INC., SUCCESSOR
vs
GLENN L. FINLEY

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 01/03/2009 HEARING: PAGE: 105007 591-1803 cell

DEFENDANT: GLENN L. FINLEY
ADDRESS: 713 TREASURE LK
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 12-10-08 N/A 12-16-08 1:42pm-N/H

12-15-08-2:57pm NOT home SHERIFF'S RETURN

NOW, 12-17-2008 AT 2:17 AM / PM SERVED THE WITHIN

COMPLAINT ON GLENN L. FINLEY, DEFENDANT

BY HANDING TO Glenn L. Finley, Defendant

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 5Route 255 Bee Line Highway - Sheetz Parking lot

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR GLENN L. FINLEY

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO GLENN L. FINLEY

REASON UNABLE TO LOCATE _____

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nevels
Deputy Signature
Jerome M. Nevels
Print Deputy Name

SWORN TO BEFORE ME THIS

DAY OF 2008

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Atlantic Credit & Finance Inc. Bank of America

Vs.

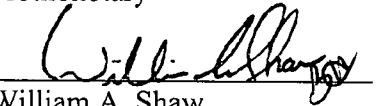
No. 2008-02328-CD

Glenn L. Finley

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$13,760.85 on April 23, 2009.

William A. Shaw
Prothonotary


William A. Shaw

WELTMAN, WEINBERG & REIS CO., L.P.A.

BY: William T. Molczan
I.D. No. 47437
436 Seventh Avenue, 1400 Koppers Bldg
Pittsburgh, PA 15219
Phone: 412.434.7955
Fax: 412.434.7959
File # 9412484

Attorney for Plaintiff(s)

FILED NO
M 10:56 AM
FEB 03 2012
William A. Shaw
Prothonotary/Clerk of Courts
6C

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM BANK OF AMERICA
Plaintiff

vs.

GLENN L FINLEY
Defendant(s)

CLEARFIELD County
Court of Common Pleas

No.: 2008-2328-CD

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Kindly enter our appearance on behalf of the Plaintiff in the above captioned matter.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By


William T. Molczan
Attorney for Plaintiff