

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

AMERICAN EXPRESS CENTURION BANK,	:	NO. 16 – 1775
Plaintiff	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	
RUSSELL W. TWIGG,	:	
Defendant	:	Non-jury Trial

OPINION AND VERDICT

Before the Court is Plaintiff’s request for a judgment for sums allegedly owed based on a credit card issued to Defendant in February 1984. A trial was held on March 7, 2018. The matter is now ripe for decision and the Court enters the following:

FINDINGS OF FACT

1. Defendant Russell W. Twigg opened an account for credit services with Plaintiff American Express Centurion Bank in February 1984.
2. Defendant used the credit extended and incurred charges but became seriously delinquent and the account was closed in January 2013.
3. Defendant continued to make payments after the account was closed but the last payment made was on February 5, 2016.
4. As no further payments were made after February 5, 2016, the account was charged off with a balance due of \$56,707.66.
5. Defendant made no payments on the account after the charge off.

DISCUSSION

In his Answer, Defendant admits having entered into the credit services agreement and having made charges to the account, and he also admits having failed to make all required monthly payments. He disputes the amount due. Defendant failed to present any evidence,

however, to dispute the evidence presented by Plaintiff. As the Court finds that evidence credible, and fully supporting the claim, the Court draws the following:

CONCLUSIONS OF LAW

1. The parties entered a credit services agreement.
2. Defendant breached the credit services agreement by failing to make payments.
3. Plaintiff is owed \$56,707.66 under the credit services agreement.
4. Defendant is liable for this amount.

VERDICT

AND NOW, this day of March 2018, for the foregoing reasons, the Court finds in favor of Plaintiff and against Defendant in the amount of \$56,707.66.

BY THE COURT,

Eric R. Linhardt, Judge

cc: Nash Boone, Esq.
Zwicker & Associates, PC
3220 Tillman Drive, Suite 215, Bensalem, PA 19020
Bret Southard, Esq.
Gary Weber, Esq. (Lycoming Reporter)
Hon. Eric R. Linhardt