

C Book 9 Pg 640

STATE MS.-DESOTO CO.
FILED

May 16 9 51 AM '00

CLF 27
(Rev. 9-7-93)

BK 9 PG 640
W.F. DAVIS, CLK.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN RE: Brian K. Richmond

DEBTOR(S)

CASE NO. 98-12263

Janella D. Morgan

PLAINTIFF(S)

VS.

ADVERSARY PROCEEDING NO. 98-1374

Brian K. Richmond and Richmond
Construction Company, Inc.

DEFENDANT(S)

ABSTRACT OF JUDGEMENT

The undersigned Clerk of the United States Bankruptcy Court for the Northern District of Mississippi does hereby certify that judgment was entered in this court on 2/15/00, in favor of the plaintiff(s), Janella D. Morgan against the defendant(s), Richmond Construction Company, Inc., in the amount of Fifty Six Thousand, Three Hundred and 00/100 together with 8% interest from the date of this judgment and all costs of this court (\$ \$56,300.00). Court costs of \$ all costs were taxed against Defendant, Richmond Construction Company, Inc.

In TESTIMONY WHEREOF I hereunto set my hand and affix the seal of the said Court at Aberdeen, Mississippi on the 13th day of March, 2000.

JOSEPH E. WROTEN, CLERK

BY: *Janella D. Morgan*

Deputy Clerk
P.O. Drawer 867
Aberdeen, MS 39730
Telephone: (662) 369-2596



FILED 31 DAY OF Mar 20 00

Janella D. Morgan
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS.

C Book 9 Pg 641

ABSTRACT OF THE JUDGMENT
FROM THE UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI

U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF MS
FILED
OCT 21 AM 10:48

CHARLENE J. PENNINGTON
CLERK
BY: [Signature] DEPUTY

United States Bankruptcy Court for the Southern District of Mississippi at Jackson,

Mississippi, judgment was rendered as follows, to wit:

STYLE OF CASE:

In re: Linda White

Case No. 98-00984-JEE/CH. 7

Adv. Pro. No. 9900078JEE

Judgment Dated: June 7, 1999

Debtor

Credit Acceptance Corporation

Filed and Entered: June 7, 1999

vs.

Judgment Against: Linda White

Linda White

Amount of Judgment: \$8,825.00
Plus all costs of this action and
interest at 8% from and after the date
of Judgment.

I, Charlene J. Pennington, Clerk of the United States Bankruptcy Court in and for the Southern District of Mississippi, do hereby certify that the above is a true and correct abstract of the judgment in the cause therein stated, and that it contains the names of all parties to said suit, the amount and date of the rendition of said judgment and that the said judgment as appears from Order Book No. 1999 at Page 94-, remains in full force and effect.

WITNESS my hand and seal, this the 27th day of October,

1999.

CHARLENE J. PENNINGTON, CLERK
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

BY: V. Milton

FILED 31 DAY OF Mar 2000

Deale K. Hooper
CIRCUIT COURT CLERK, DE SOTO COUNTY, MISS.

09:48 AM

C. Book 9 Pg. 642

FILED

1999 NOV 22 AM 10:30

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

~~CLERK
U.S. BANKRUPTCY COURT
NORTHERN DIST. OF MISS.
BY _____ DC~~

IN RE: **Brian K. Richmond,**

Debtor

Case No. **98-12263/Chp. 7**

JANELLA D. MORGAN

MOVANT

VS.

ADVERSE CAUSE NO. **98-1374**

**BRIAN RICHMOND a/k/a
BRIAN K. RICHMOND,
Individually and d/b/a
RICHMOND CONSTRUCTION, INC.
AND
RICHMOND CONSTRUCTION COMPANY, INC.**

RESPONDENTS

**JUDGMENT AGAINST
RICHMOND CONSTRUCTION COMPANY, INC.**

This cause came on to be heard upon Application of the Plaintiff for a Default Judgment against the Defendant, **Richmond Construction Company, Inc.**, on Plaintiff's **Amended Complaint** which joined this Defendant as a party. It appears that the Plaintiff has standing to file this Complaint under **11 USC Section 727(c)(1)**; and that the Complaint states a cause of action upon which relief may be granted. This Court has jurisdiction under **28 USC Section 1334**.

It appears that Plaintiff's claim against this Defendant is based upon fraud and malicious injury to the property of the Plaintiff by filing of a wrongfully claimed lien against the property of the Plaintiff in the amount of **\$56,300.00**, giving rise to a statutory penalty under **Section 85-7-201 MCA, 1972**, in the amount of **\$56,300.00**, a liquidated sum under the statute.

1
12/2/99 11:15 AM
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
(Signature) DC

2/15/00
(Signature)
31-1
(dom)
27-1

It further appears that Defendant, **Brian Richmond**, who signed the lien notice for Defendant, **Richmond Construction Company, Inc.**, now through his pleadings disclaims any personal interest in the lien which was filed and that it is appropriate that judgment be entered at this time declaring Plaintiff to be the owner of the real property described in **Exhibit A** of the Complaint free of the cloud of the lien and ordering that the lien be expunged from the land records of **DeSoto County, Mississippi**.

It is, therefore, hereby ordered and adjudged that **Janella D. Morgan** shall be, and is hereby, granted Judgment against **Richmond Construction Company, Inc.**, in the amount of **\$56,300.00** together with interest at **8%** from the date of this Judgment and all costs of this Court; it is further ordered that **Janella D. Morgan** is declared to be owner of the real property described as

The South 0.72 of an acre of the L.M. Grant's 1.55 acre tract in Section 23, Township 1, Range 8 West, DeSoto County, Mississippi, and more particularly described as follows, to-wit:

Beginning at a point which is southwest corner of the L.M. Grant 1.55 acre tract, and from said point the northeast corner of Section 23, Township 1, Range 8 West is located as follows: north 21 degrees and 7 minutes west 588 feet; thence north 83 degrees and 56 minutes east 1221.5 feet; thence north 6 degrees east 2650.6 feet; thence north 85 degrees and 30 minutes east 1567.5 feet to the northeast corner of Section 23, Township 1, Range 8 West; beginning at above described southwest corner of L.M. Grant 1.55 acres, thence north 83 degrees and 56 minutes east with fence 165 feet to a stake in the west line of U.S. Highway 51; thence on a curve to the left with the west right-of-way line of said Highway 205 feet; thence south 72 degrees and 33 minutes west 172.3 feet to a point in the west line of

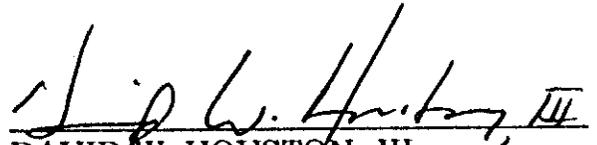
Mrs. L.M. Grant's 1.55 acres; thence south 21 degrees and 7 minutes east 172.2 feet to the point of beginning, and containing 0.72 of an acre of land being situated in the northwest quarter of the southeast quarter.

free of the cloud of the false Notice of Construction Lien appearing in Construction Lien Book 8, Page 383, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

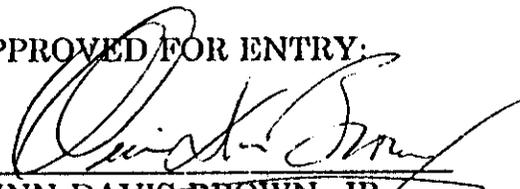
It is further ordered and adjudged that upon receipt of a certified copy of this Order, the Chancery Clerk of DeSoto County, Mississippi, shall expunge the false Notice of Construction Lien appearing in Book 8, Page 383, from the records of DeSoto County, Mississippi.

All other issues are reserved for trial of the remaining claims.

SO ORDERED this the 29th day of November, 1999.


DAVID W. HOUSTON, III
U.S. Bankruptcy Court Judge

APPROVED FOR ENTRY:


WINN DAVIS BROWN, JR.
Attorney for Janella D. Morgan
P. O. Box 249
Southaven, MS 38671-0249
(662) 393-9466

File #98-00536-0(RGT)