

Multiple claims. If a complaint asserts multiple claims which involve different subject matter divisions of the circuit court, the cover sheet for that division which is most definitive of the nature of the case should be selected and completed.

COVER SHEET
STATE OF ARKANSAS
CIRCUIT COURT: CIVIL

The civil reporting form and the information contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court Rule. This form is required pursuant to Administrative Order Number 8. Instructions are located on the back of the form.

County: Garland FILING INFORMATION District: 18 East Docket Number: CV 2007-858-III
Judge: David Switzer Division: III Filing Date: 08-06-2007

Plaintiff: Marc Hayes Defendant: Steve Smith
Attorney Providing Information: Pro Se - Steve Smith 720 Quapaw Hot Springs, AR 71913
 Plaintiff Defendant Intervenor Address

Litigant, if Pro Se: Steve Smith 720 Quapaw Hot Springs, AR 71913
Address Case Number(s) _____

Related Case(s): Judge _____
Type of Case:

- Torts**
 (NM) Negligence: Motor Vehicle
 (NO) Negligence: Other
 (BF) Bad Faith
 (FR) Fraud
 (MP) Malpractice
 (PL) Product Liability
 (OD) Other _____

- Equity**
 (FC) Foreclosure
 (QT) Quiet Title
 (IJ) Injunction
 (PT) Partition
 (OT) Other _____

- Miscellaneous**
 (CD) Condemnation
 (RE) Replevin
 (DJ) Declaratory Judgment
 (UD) Unlawful Detainer
 (IN) Incorporation
 (EL) Election
 (FJ) Foreign Judgment
 (WT) Writs
 (AA) Administrative Appeal
 (CF) Property Forfeiture
 (RD) Remove Disabilities
 (NC) Name Change
 (OM) Other _____

- Contracts**
 (IS) Insurance
 (DO) Debt: Open Account
 (PN) Debt: Promissory Note
 (EM) Employment
 (OC) Other _____

Jury Trial Requested: Yes No

Manner of Filing: Original Re-open Transfer
 Return from Federal/Bankruptcy Court
 Appeal from District Court

Disposition Date: _____ **DISPOSITION INFORMATION**
 Bench Trial Non-Trial Jury Trial

- Judgment Type:**
 (DJ) Default Judgment
 (SJ) Summary Judgment
 (CJ) Consent Judgment
 (TJ) Trial Judgment
 (OJ) Other Judgment
 (PG) Petition Granted
 (PD) Petition Denied
 (DF) Decree of Foreclosure

- Dismissal Type:**
 (DW) Dismissed with Prejudice
 (DN) Dismissed without Prejudice

- Other:**
 (TR) Transferred to Another Jurisdiction
 (RB) Removed to Bankruptcy Court
 (RF) Removed to Federal Court
 (AR) Arbitration

Judgment For: Plaintiff Defendant Both

Judgment Amount: \$ _____

Clerk's Signature
AOC 23 10-01
326 Marshall Street
Little Rock, AR 72201

Date _____

Effective 1-1-2002

Send 1 paper or electronic copy to AOC upon filing.
Send 1 paper or electronic copy to AOC upon disposition.
Keep original in court file.

DISTRICT COURT OF THE CITY OF HOT SPRINGS, ARKANSAS
SMALL CLAIMS DIVISION

MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

PLAINTIFF

VS.

SC-07-106

2007 AUG 6 PM 1 15 CV 2007-858-IT

STEVE SMITH
720 QUAPAW
HOT SPRINGS, AR 71913

CLERK
BY Jay Long DEFENDANT

I, STEVE SMITH, in the above entitled cause, do solemnly swear that the appeal taken by STEVE SMITH, from the judgment herein rendered is not taken for the purpose of delay, but that justice may be done.

Steve Smith
DEFENDANT

Subscribed and sworn to before me this 6 day of August, 2007

VICKIE ASHER
DISTRICT CLERK

BY Donna Seibert D.C.
DEPUTY CLERK

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the above and foregoing Notice was this _____ day of August 2007, served by U. S. Mail, postage paid to:

MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS, AR 71913

PLAINTIFF

HOT SPRINGS DISTRICT COURT
APPEAL INFORMATION FORM

**APPEALS MUST BE FILED WITHIN 30
DAYS OF THE ENTRY OF JUDGMENT**

1. Obtain a Transcript of Judgment from this Office for each charge you wish to appeal to the Garland County Circuit Court. There is a \$10.00 fee for each Transcript of Judgment prepared.
2. You must notify the other party of your intention to appeal.
3. You must take the Transcript of Judgment and this form to the Garland County Circuit Clerk's Office on the 2nd Floor of the Garland County Courthouse to file the appeal. The filing fee in Circuit Court is \$140.00.
4. If the District Court Clerk fails or refuses to prepare and certify the record for appeal, you can perfect the appeal by filing an affidavit to that effect with the Circuit Clerk. You must serve Notice of the filing of the affidavit on the District Court Clerk and the other party. The Circuit Court can then compel the District Court Clerk to prepare and certify the record.
5. **IT IS YOUR RESPONSIBILITY TO CONFORM WITH THE RULES OF PROCEDURE, INCLUDING THE TIMELY PERFECTING OF AN APPEAL. (Rule 9(a) A.R.I.C.)**

Plaintiff Name: MARC HAYES Case No. SC-07106

Defendant Name: STEVE SMITH Division: SMALL CLAIMS

Date of Judgment: 07/17/07 Clerk: DONNA SCHLEETER Date Transcript Prepared: 08/06/07

TO BE COMPLETED BY THE GARLAND COUNTY CIRCUIT CLERK'S OFFICE

Circuit Court Case No. _____

Date Appeal Filed: _____ Deputy Circuit Clerk: _____

HOT SPRINGS DISTRICT COURT
SMALL CLAIMS DIVISION
CASE #: SC-07-0000106-0
COUNTERCLAIM FILED

TRANSCRIPT ON APPEAL TO CIRCUIT COURT

MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

PLAINTIFF

VS

STEVE SMITH
720 QUAPAW
HOT SPRINGS AR 71913

DEFENDANT

QUAPAW COMMUNITY CENTER
500 QUAPAW
HOT SPRINGS AR 71901

GARNISHEE

* NARRATIVE *

- 3/23/07 COMPLAINT FILED SMALL CLAIMS DIVISION-SUMMONS ISSUED-CASE#07-0000106-0
SERVICE TO BE MADE BY PLAINTIFF
DELIVERED FOR SERVICE-SS-D001 SMITH, STEVE
- 4/09/07 ANSWER FILED: D001-SMITH, STEVE
DENIED ALLEGATIONS
COUNTERCLAIM FILED SMALL CLAIMS DIVISION - CASE #:07-0000106-1
- 4/10/07 SCHEDULED COURT DATE 06/01/07 AT 10:00 FOR TRIAL
NOTICES SENT TO: P001-HAYES, MARC
D001-SMITH, STEVE
- 4/19/07 SERVICE ON COUNTERCLAIM RETURNED FILED 4/19/07; MARC HAYES SERVED
4/17/07 AT 9:20 AM BY CPL. M. PETERS.
- 5/10/07 SERVED-SS-D001 SMITH, STEVE
PERSON SERVED: SMITH, STEVE
RELATION TO PARTY: SELF
LOCATION: 608 BLACKSNAKE RD
- 5/11/07 SERVICE RETURN FILED-SS -D001 SMITH, STEVE
- 5/30/07 COURT DATE 06/01/07 AT 10:00 FOR TRIAL HAS BEEN CONTINUED TO
06/22/07 AT 10:00 FOR TRIAL
NOTICES SENT TO: P001-HAYES, MARC
D001-SMITH, STEVE
SMALL CLAIMS MAGISTRATE HAS A CONFLICT WITH HEARING THIS CASE. RESET
FOR A DISTRICT JUDGE TO HEAR.
- 6/22/07 COURT DATE 06/22/07 AT 10:00 FOR TRIAL HAS BEEN CONTINUED TO
07/27/07 AT 09:30 FOR TRIAL
NOTICES SENT TO: P001-HAYES, MARC
D001-SMITH, STEVE

****CASE CONTINUED TO 7/27/07 AT 9:30 FOR JUDGE WILLIAMS; JUDGE OHM HAS A CONFLICT.

6/25/07 COURT DATE 07/27/07 AT 09:30 FOR TRIAL HAS BEEN CONTINUED TO 07/17/07 AT 10:00 FOR TRIAL

NOTICES SENT TO: P001-HAYES, MARC
D001-SMITH, STEVE

JUDGE WILLIAMS RECUSES FROM CASE; RESET FOR SPECIAL JUDGE RANDY HILL, DISTRICT JUDGE IN CLARK COUNTY; TRIAL 7/17/07 AT 10:00; NOTIFIED PARTIES BY TELEPHONE AND MAIL.

7/17/07 CASE CALLED IN OPEN COURT. JUDGE RANDY HILL PRESIDING. COURTROOM CLERK: VICKIE ASHER, DISTRICT CLERK PLAINTIFF MARC HAYES AND DEFENDANT STEVE SMITH APPEARED IN PERSON. JUDGMENT AGAINST DEFENDANT SMITH, STEVE FOR \$2210.25 PLUS \$75.00 COSTS DEFENDANT TO PREPARE SCHEDULE OF EXEMPTED PROPERTY PURSUANT TO ACT 610 OF 1991 AND FILE WITH CLERK OF COURT WITHIN 45 DAYS. DEFENDANT'S COUNTERCLAIM IS DENIED AND DISMISSED.

7/30/07 EVENT #: 07-01134 PARTY: P001-HAYES, MARC REQUEST FOR ISSUANCE OF WRIT OF GARNISHMENT WRIT OF GARNISHMENT ISSUED, AMENDED STANDING ORDER, EXHIBIT "A", NOTICE TO DEFENDANT DEBTOR ATTACHED PARTY ADDED - G001-QUAPAW COMMUNITY CENTER ALLEGATIONS AND INTERROGATORIES FILED

8/06/07 DEFENDANT STEVE SMITH FILED APPEAL.

I, Vickie Asher, Clerk of the District Court of Hot Springs, Arkansas, do certify this 6 day of August, 2007, that the above and foregoing is a true and correct transcript of the proceedings, Orders and Judgment of the above-entitled case as shown by the docket of said Court.

By Donna Schletter, D.C.
VICKIE ASHER
DISTRICT COURT CLERK

HOT SPRINGS DISTRICT COURT

COMPLAINT

SMALL CLAIMS CIVIL DIVISION
CASE NUMBER SC-07-106

PLAINTIFF: Marc Hayes TELEPHONE 625-3097

ADDRESS: 1806 W. Grand
STREET / P.O. BOX
Hot Springs AR 71913
CITY STATE ZIP

DEFENDANT: Steve Smith + ~~Marsha Smith~~ TELEPHONE 624-4699

ADDRESS: 720 Quepaw
STREET / P.O. BOX
Hot Springs AR 71913
CITY STATE ZIP

NATURE OF CLAIM: Breach of contract

AMOUNT OF RELIEF CLAIMED: \$ 2450.00 DATE CLAIM AROSE: 3-22-07

FACTS SHOWING WHY CLAIM IS OWED: Steve and Marsha Smith hired me to paint part of their house for \$2000 (1200) There were two "adders" that totalled \$2000. He tricked me into performing additional work, promising to pay me on Thur 3-22-07. It was clear on Friday 3-23-07 @ 1:00 that he was refusing to pay for services rendered.

Marc S. Hayes
BY: Signature of Plaintiff

DISTRICT COURT
ARLAND COUNTY, AR
MAR 23 PM 2:10
VICKIE ASHER, CLERK
D.C.

Original - Court
Yellow copy - Defendant
Blue copy - Sheriff / Process Agent
Green copy - Plaintiff

State of _____
County of _____
I, _____, Sheriff of the County of _____, do hereby certify that _____
is the true and correct owner of the _____

STATE OF MINNESOTA

_____ do hereby certify that _____
is the true and correct owner of the _____

[Handwritten Signature]

[Handwritten Signature]

STATE OF MINNESOTA

_____ do hereby certify that _____
is the true and correct owner of the _____

Subscribed and sworn to before me this _____ day of _____, 20____
in the presence of _____

(Notary Public or Court Clerk)

My Commission Expires _____

DISTRICT COURT OF HOT SPRINGS, GARLAND COUNTY, ARKANSAS

COUNTERCLAIM

PLAINTIFF: Marc Hayes
Address: 1006 W. Grand
Hot Springs AR 71913

vs.

CASE NO. DC - 07-106

DEFENDANT: Steve Smith
Address: 730 Ouachita
Hot Springs AR, 71901

Telephone: 501 624-4699

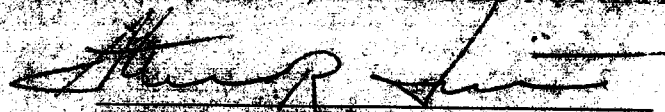
The white copy of your Counterclaim must be filed with the Court and the yellow copy delivered or mailed to the Plaintiff or his/her attorney (if applicable). **READ CAREFULLY THE INSTRUCTIONS ON REVERSE SIDE OF THIS FORM.**

PLEASE NOTE: ANY COUNTERCLAIM YOU HAVE AGAINST THE PLAINTIFF MUST HAVE RESULTED FROM THE SAME OCCURRENCE, INCIDENT, TRANSACTION OR CONTRACT MENTIONED IN THE PLAINTIFF'S COMPLAINT.

NATURE OF YOUR COUNTERCLAIM: Payment for damage done to house
AMOUNT OF RELIEF YOU CLAIM: for work not performed
DATE YOUR COUNTERCLAIM AROSE: 12/1/07 (last time damage on property)

FACTS SHOWING WHY CLAIM IS OWED: Work is done but materials are not paid for. Estimate is \$2000. 300 ft materials already purchased & stockpiled by plaintiff.

I STATE THAT THE INFORMATION CONTAINED IN THIS COUNTERCLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT SHOULD THE PLAINTIFF BE SUCCESSFUL IN HIS ACTION AND OBTAINS JUDGMENT, AND IF I DO NOT APPEAL, HIS JUDGMENT BECOMES FINAL.



Signature of Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Counterclaim was served on Plaintiff on the _____ day of _____, 20____, by mailing the yellow copy to Plaintiff's address listed above.



Signature of Defendant

COMPLETE COUNTERCLAIM AND MAIL WHITE COPY TO: HOT SPRINGS DISTRICT COURT
607 OUACHITA, ROOM 150
HOT SPRINGS, AR 71901

White Copy—Court
Yellow Copy—Plaintiff
Green Copy—Keep for your record

DISTRICT COURT
GARLAND COUNTY AR
2007 APR -9 AM 8:22
KYLE ASHER, CLERK

HOT SPRINGS DISTRICT COU
RLAND COUNTY COURTS BUIL
607 OUACHITA AVE. ROOM 150
HOT SPRINGS, ARKANSAS 71901
(501) 321-6765

APRIL 10, 2007

COURT COPY
NOTICES MAILED

RE: CASE # : SC 07-0000106-0

Plaintiff(s): HAYES, MARC
NOTICE MAILED TO: MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

Defendant(s): SMITH, STEVE
NOTICE MAILED TO: STEVE SMITH
720 QUAPAW
HOT SPRINGS AR 71913

MEMO TO FILE

This is Notice that the above-styled case has been scheduled as indicated. Please make a note of the date and time listed above.

If you have any questions regarding this court date, please contact this office at 321-6765.

COURT DATE: 6/01/07
TIME: 10:00 AM
LOCATION: 607 OUACHITA, DISTRICT COURTROOM
TYPE: TRIAL

Sincerely,

VICKIE ASHER
DISTRICT COURT CLERK

By: HUTCHINM
Deputy Clerk

DISTRICT COURT OF HOT SPRINGS GARLAND COUNTY AR

PLAINTIFF: Marc Houck
Address: 1006 W. G. Hill
Hot Springs AR 71913

vs.

CASE NO. SC-07-106

DEFENDANT: Steve Smith
Address: 720 Ouachita
Hot Springs AR 71901

Steve Smith

Telephone 501 624 4699

The white copy of your Answer must be filed with the Court and the yellow copy delivered or mailed to the Plaintiff or his/her attorney (if applicable).

CHECK ONE:

- A. I admit everything in the Complaint and do not want a trial.
- B. I admit that I am responsible, but not for the total amount claimed by the Plaintiff(s).
- C. I deny that I am responsible at all.
- D. I deny that I am responsible at all. In fact the Plaintiff is the one at fault. (Contact the Court Clerk for more information.)

If you check "B" or "C", briefly explain your position. Don't write more than 100 words.
\$1300 has been paid and less than 1/2 of work has been done. Plaintiff's property by plus to Steve. Plaintiff's work is done.

I STATE THAT THE INFORMATION CONTAINED IN THIS ANSWER IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Steve Smith
Signature of Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on Plaintiff on the _____ day of _____, 20____, by mailing the yellow copy to Plaintiff's address listed above.

Steve Smith
Signature of Defendant

COMPLETE THIS ANSWER AND MAIL WHITE COPY TO:

HOT SPRINGS DISTRICT COURT
607 OUACHITA, ROOM 100
HOT SPRINGS, AR 71901

DISTRICT COURT
GARLAND COUNTY, AR
2007 APR 19 AM 8:22
BY: Steve Smith
CLERK
D.C.

White Copy—Court
Yellow Copy—Mail to Plaintiff
Pink Copy—Keep for your record

SERVICE BY SHERIFF:

32310
7-15-20
Garland

SC-07-106
Service on Counterclaim

STATE OF ARKANSAS, COUNTY OF Garland

On this 17 day of April, 2007 at 9:20 o'clock A m, I have duly served the within

summons by delivering a copy thereof (or stating the substance thereof), together with a copy of the complaint,

to Made Hayes such person being:

CHECK APPLICABLE SQUARE:

- the person named therein as defendant.
- a member of the defendant's family above 14 years of age at defendant's usual place of abode, namely: _____
- the duly designated agent for service of process for the defendant, namely: _____

OTHER:

BY: Larry Sanders SHERIFF
Cpt. M. P. [Signature] Deputy

SERVICE BY OTHER:

I, _____, certify that I served the within Claim Form on the defendant, _____

at _____ o'clock _____ m, on _____, 20____, by _____ (show manner of service)

(Name and Office, if Any)

Subscribed and sworn to before me this _____ day of _____, 20____.
(To be completed if service by other than sheriff or constable)

(Notary Public or Court Clerk)

My Commission Expires: _____

DISTRICT COURT
GARLAND COUNTY, AR
2007 APR 19 PM 3:07
VICKIE ASHER, CLERK
BY: [Signature]
D.C.

April

Service on Counterclaim

HOT SPRINGS DISTRICT COU.
ARLAND COUNTY COURTS BUILD.
607 OUACHITA AVE. ROOM 150
HOT SPRINGS, ARKANSAS 71901
(501) 321-6765

MAY 30, 2007

COURT COPY
NOTICES MAILED

RE: CASE #: SC 07-0000106-0

Plaintiff(s): HAYES, MARC
NOTICE MAILED TO: MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

Defendant(s): SMITH, STEVE
NOTICE MAILED TO: STEVE SMITH
720 QUAPAW
HOT SPRINGS AR 71913

MEMO TO FILE

This is Notice that the above-styled case has been re-scheduled as indicated. Please make a note of the date and time listed below.

If you have any questions regarding this court date, please contact this office at (501) 321-6765.

COURT DATE: 6/22/07
TIME: AM 10:00
LOCATION: 607 OUACHITA, DISTRICT COURTROOM
TYPE: TRIAL

Sincerely,

VICKIE ASHER
DISTRICT COURT CLERK

By: HUTCHINM
Deputy Clerk

HOT SPRINGS DISTRICT CO
RLAND COUNTY COURTS BUILD
607 OUACHITA AVE. ROOM 150
HOT SPRINGS, ARKANSAS 71901
(501) 321-6765

JUNE 22, 2007

COURT COPY
NOTICES MAILED

RE: CASE #: SC 07-0000106-0

Plaintiff(s): HAYES, MARC
NOTICE MAILED TO: MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

Defendant(s): SMITH, STEVE
NOTICE MAILED TO: STEVE SMITH
720 QUAPAW
HOT SPRINGS AR 71913

MEMO TO FILE

This is Notice that the above-styled case has been re-scheduled as indicated. Please make a note of the date and time listed below.

If you have any questions regarding this court date, please contact this office at (501) 321-6765.

COURT DATE: 7/27/07
TIME: AM 9:30
LOCATION: 607 OUACHITA, DISTRICT COURTROOM
TYPE: TRIAL

Sincerely,

VICKIE ASHER
DISTRICT COURT CLERK

By: ASHERV
Deputy Clerk

*Reset
for Judge
Special
7/17*

HOT SPRINGS DISTRICT COU
GARLAND COUNTY COURTS BUILDING
607 OUACHITA AVE. ROOM 150
HOT SPRINGS, ARKANSAS 71901
(501) 321-6765

JUNE 25, 2007

COURT COPY
NOTICES MAILED

RE: CASE #: SC 07-0000106-0

Plaintiff(s): HAYES, MARC
NOTICE MAILED TO: MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS AR 71913

Defendant(s): SMITH, STEVE
NOTICE MAILED TO: STEVE SMITH
720 QUAPAW
HOT SPRINGS AR 71913

MEMO TO FILE

This is Notice that the above-styled case has been re-scheduled as indicated. Please make a note of the date and time listed below.

If you have any questions regarding this court date, please contact this office at (501) 321-6765.

COURT DATE: 7/17/07
TIME: AM 10:00
LOCATION: 607 OUACHITA, DISTRICT COURTROOM
TYPE: TRIAL

Sincerely,

VICKIE ASHER
DISTRICT COURT CLERK

By: ASHERV
Deputy Clerk

Peters Paint & Flooring
1217 Malvern Avenue
Hot Springs, AR 71901
501-623-1800

PAINT & FLOORING

Flooring Alliance

1-623-1800 ♦ Fax 501-623-0288 ♦ Email peters@hotsprings.net ♦ www.peterspaintandflooring.com

TERMINAL I.D.: 28578018

PTECH ID: 300003453964001
CITIFINANCIAL ID: 000000000

VISA

XXXXXXXXXXXX0066

SALE

BATCH: 000629
DATE: MAR 22, 07

REF. NUM: 270130
TIME: 10:04
AUTH NO: 088131

TOTAL \$94.23

STEVEN R SMITH

PETERS PAINT & FLOORING
1217 MALVERN AVE

X I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT CARD)
- CUSTOMER COPY

1800 (VOICE) 501-623-1800

Thank You!

X - Yan Deke Smith

X - _____

Dec. 12, 2006

Maisha + Steve Smith

Carpenter work

- replace approx 4 runs of siding
- leave water table as is + paint

\$200-250

What about prep?

Paint Job - 2 coats

1. Paint around storm windows (will not remove storms)
2. H₂O table to be painted as-is
3. 1 1/2 sides of house (front + side)
4. Front porch floor, door, + columns not included.
5. Wood lap siding on front (Quepaw side) porch included.

Note: ?

1. Primer paint that customer supplies will be tinted so that 2 coats of paint will cover.
2. Trim boards on siding edge will be painted siding color.

\$1,500.00

* I believe this can be done by Dec. 22, 2006

? ready?

1-30-07

Steve & Marsha,

Would like to collect
at least ~~\$1500.00~~ of \$1967.36.

I will touch up paint job
next good day this week.

I took paint to store @ 75°
so it can be used.

Thanks,

Maic

625-3697

I need to cash check by
10 A.M. + spend by Noon.

\$1000
paint cash

15 Quapaw Ave.
Hot Springs, AR 71913

(501) 623-3697

④

3-23-07

RESIDENTIAL CO.

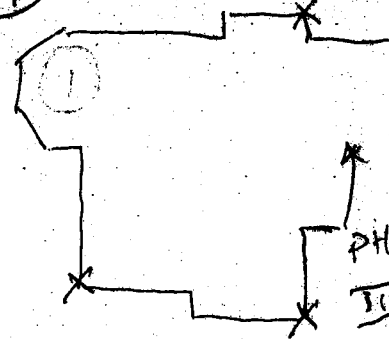
Residential - Commercial

Painting • Window Cleaning

Janitorial Services • Ceramic Tile

Odd Jobs • Demolition • House Remodeling • Hauling

Tel: 501 623-3697



PHASE II

DATE 3-18-07
Proposal Submitted To: Steve & Marsha Smith

CUSTOMER NAME

We hereby submit the following specifications and estimates for the service work requested:

Phase II

- 1. Paint East side of house above porch roof.
- 2. Replace rotten molding in interior corner
- 3. Nail flashing to side wall & paint vert. leg.
- 4. Paint gable end of porch.

* Corner to Corner) labor only \$1125

Phase II

- 1. Paint + replace 24-5 boards, nail flashing & paint vertical leg.

labor only \$275

Work to begin has already begun. Draws to be each Friday + based upon 90

All work to be completed in a professional manner according to standard practice. Any completion alteration or deviation from above specifications involving extra costs will be executed only of project upon written orders, and will become an extra charge.

ACCEPTANCE OF PROPOSAL

The above price, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted on _____ by _____
Date Authorized Signature

IT
SVS

CASE #: SC-07-0000106-0
(CONTINUED)

ORDER
of the
Superior Court
JULY

property which he claims as exempt under the law.

Defendant's schedule of exempt property shall be filed with the Clerk of the Court in which the final judgment was rendered within forty-five (45) days of entry of the final judgment Order.

IT IS SO ORDERED this 17 day of July, 2007.

[Handwritten signature]

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

ORDER
of the
Superior Court
JULY

**IN THE DISTRICT COURT OF GARLAND COUNTY, ARKANSAS
SMALL CLAIMS DIVISION**

**DISTRICT COURT
GARLAND COUNTY, AR
2007 JUL 17 PM 5:03**

**MARC HAYES
1006 W. GRAND AVE.
HOT SPRINGS, AR 71913**

**YICHEL ASHER CLERK
PLAINTIFF**
[Signature]
D.C.

VS.

CASE # SC-07-106

**STEVE SMITH
720 QUAPAW
HOT SPRINGS, AR 71901**

DEFENDANT

ORDER

On this 17th day of July, 2007, comes on to be heard the Counterclaim of the Defendant against Plaintiff who personally appears, and the Defendant who personally appears, for a hearing and determination of the matter; the Court does find that the Counterclaim filed by Defendant is hereby denied and dismissed with prejudice.

IT IS SO ORDERED this 17 day of July, 2007.

[Signature]
**HONORABLE CINDY HILL
DISTRICT JUDGE ON EXCHANGE**

PLEASE READ ALL NOTICES CAREFULLY

GARNISHMENT EXHIBIT "A"

NOTICE TO EMPLOYER

A Judgment has been obtained in the District Court of Hot Springs against the Judgment Debtor listed in this Writ and remains unsatisfied. The Plaintiff believes that you are indebted to the Defendant or have in your possession goods, chattels, moneys, credits, or effects belonging to the Defendant.

The garnishment restrictions of Title III of the Consumer Credit Protection Act (15 U.S.C. 1673) provides that no court in the United States shall execute or enforce any order or process which provides for the garnishment of the aggregate disposable earnings of any individual for any workweek in an amount which is in excess of the lesser of the following restrictions:

- (1) Twenty-five percent (25%) of the individual's disposable earnings for the workweek;
- (2) The amount by which the disposable earnings for the week exceed 30 times the minimum wage under Section 6(a)(1) of the Fair Labor Standards Act of 1938, 29 U.S.C. 206(a)(1), which is presently \$5.15 an hour.

On the present \$5.15 per hour minimum wage basis, this is the effect of the statutory Federal restrictions on earnings in a given week. **THESE RESTRICTIONS DO NOT APPLY IN THE CASE OF** (1) Court Orders for child support or alimony, (2) court orders under Chapter XIII of the Bankruptcy Act and (3) any debt for any State or Federal Tax. If disposable earnings are \$154.50 per week or less, earnings may not be garnished in any amount. If disposable earnings are more than \$154.50 per week, but less than \$206.00 per week, only the amount above \$154.50 is subject to garnishment. If disposable earnings exceed \$206.00 per week, twenty-five percent (25%) of the disposable earnings is subject to garnishment. "Disposable earnings" is compensation paid or payable for personal services less any amounts required to be withheld.

The law also prohibits an employer from discharging any employee because their earnings have been subject to garnishment for any one indebtedness. The term "one indebtedness" refers to a single debt, regardless of the number of levies made by creditors seeking satisfaction. Whoever willfully violates the discharge provisions of this law may be prosecuted criminally and fined up to \$1,000.00 or imprisoned for not more than one (1) year, or both fined and imprisoned.

You are directed to prepare a written Answer, under oath, and to file this Answer in the Hot Springs District Court Clerk's Office within twenty (20) days from the date on which you are served with this Writ. The written Answer should contain a statement what goods, chattels, moneys, credits, or effects you may have in your possession belonging to the Defendant at the time of service or at any time thereafter to satisfy this Judgment. It is not necessary to wait the entire twenty (20) days before filing the Answer. **The employer must send a copy of the written Answer to the Plaintiff. In addition, you are required to answer any further Interrogatories that may be asked of you.**

Failure to answer this Writ within twenty (20) days or failure or refusal to answer the Interrogatories attached hereto may result in the Court rendering judgment against you (Garnishee) in such amount, if any, as the Court may find that you (Garnishee) held at the time of service of the Writ of Garnishment, together with costs of this action as provided by Act 115 of 1989 (A.C.A. 16-110-407).

A Writ of Garnishment issued on any one indebtedness shall be in effect as a lien on salaries,

607 Ouachita, Room 150
Hot Springs, AR 71901

PLAINTIFF(S)

RECEIVED

THE STATE OF ARKANSAS TO WITNESSE

1. A Judgment has been entered in the case of *St. Paul & Northern Pacific*

together with the said and other legal costs incurred and the said plaintiff alleges that he is entitled to be paid the said costs and interest thereon.

possessed, goods, and chattels, and the said plaintiff claims that the said defendant is liable for the same.

2. The defendant is liable for the said costs and interest thereon and the said plaintiff claims that the said defendant is liable for the same.

3. The defendant is liable for the said costs and interest thereon and the said plaintiff claims that the said defendant is liable for the same.

4. The defendant is liable for the said costs and interest thereon and the said plaintiff claims that the said defendant is liable for the same.

5. In addition, the plaintiff is required to answer any further questions that may be propounded to him by the defendant within the time specified in the said writ and a hearing will be set within eight (8) days.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court on this 10th day of June, 1913.

VICTOR ASTOR
DISTRICT COURT CLERK
BY: *Creda Wilson*
Deputy Clerk

(FOR COURT USE ONLY)	EXPLANATION
Attorney Fees	\$10.00
Service Fees	\$10.00
Other	
TOTAL:	\$20.00

Yellow - Caption Pink - Service Blue - Defendant