

1907 00199

## STATE OF NORTH CAROLINA

County

In The General Court Of Justice  
District Court Division - Small Claims

Plaintiff(s)

Irene Kinard 110-571

## MAGISTRATE SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

## VERSUS

G.S. 1A-1, Rule 4; 7A-217, -232

Defendant(s)

Robert Swartzlander DBA  
Robert Swartzlander

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

Ms Malissa Gresson DBA Royal  
Landscaping, Inc.

TO

TO

Name And Address Of Defendant 1

Robert Swartzlander  
484 Spruce Way Lane  
Lillington NC 27546

Name And Address Of Defendant 2

Ms Malissa Gresson DBA  
Royal Landscaping, Inc.

Telephone No. Of Defendant 1

Telephone No. Of Defendant 2

## A Small Claim Action Has Been Commenced Against You!

You are notified to appear before the magistrate at the specified date, time, and location of trial listed below. You will have the opportunity at the trial to defend yourself against the claim stated in the attached complaint.

You may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court at any time before the time set for trial. Whether or not you file an answer, the plaintiff must prove the claim before the magistrate.

If you fail to appear and defend against the proof offered, the magistrate may enter a judgment against you.

|                                                                                                                             |                                                                                              |                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Date Of Trial<br>02/19/19                                                                                                   | Time Of Trial<br>11:00 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Location Of Court<br>Lillington Magistrates Office<br>1st Floor - Rm A1002<br>301 W. Cornelius Hammett Blvd.<br>Lillington, NC 27546 |
| Name And Address Of Plaintiff Or Plaintiff's Attorney<br>Irene Kinard<br>1628 Barber Ave<br>Fayetteville NC 28307           | Date Issued<br>02/15/19                                                                      | Signature<br>Irene Kinard                                                                                                            |
| <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court |                                                                                              |                                                                                                                                      |

2-19-19 C  
"Tuesday" on  
1st Floor near Ent,  
"Magistrates Court"

TO VERIFY SERVICE CALL 2-3  
DAYS BEFORE YOUR COURT  
DATE. PROVIDE FILE NO. FOR  
ALL INQUIRES 910-814-4557

Side One Copy - Side Two Not Reproduced

In The General Court Of Justice  
District Court Division - Small Claims

County

The defendant is a resident of the county named above.

2. The defendant entered into possession of premises described below as a lessee of plaintiff.

## COMPLAINT

## IN SUMMARY EJECTMENT

BY

|                               |                                                              |               |                  |                                                                                 |
|-------------------------------|--------------------------------------------------------------|---------------|------------------|---------------------------------------------------------------------------------|
| Rate Of Rent (Tenant's Share) | Month <input type="checkbox"/> Week <input type="checkbox"/> | Date Rent Due | Date Lease Ended | Type Of Lease<br><input type="checkbox"/> Oral <input type="checkbox"/> Written |
| \$ 150.00                     | per                                                          | 1-1-2005      | 1-1-2005         |                                                                                 |

G.S. 7A-216, 7A-232; Ch. 42, Arts. 3 and 7

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Name And Address Of Plaintiff

G.S. 7A-216, 7A-232; Ch. 42, Arts. 3 and 7

|                                                            |               |
|------------------------------------------------------------|---------------|
| Name And Address Of Plaintiff                              | Telephone No. |
| Leone K. Wood<br>1628 Barber Ave<br>Fayetteville, NC 28303 | 910-578-1406  |
| County                                                     | Cumbe         |

County Cono Telephone No. 916-578-1400

## VERSUS

| Name And Address Of Defendant 1                                                   | <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
|-----------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|
| Mr. Robert Schwartz, 91<br>(Rosalind Avenue)<br>424 3rd Ave<br>New York, NY 10016 | <input checked="" type="checkbox"/> | <input type="checkbox"/>             |

[illegible]

|                                                                                                           |                                     |                                      |                              |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|------------------------------|
| Name And Address Of Defendant 2<br>Mrs. Walter G. Gerson, Jr.<br>449 3rd Ave. East<br>Littleton, CO 80120 | <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation | Telephone No.<br>303-745-546 |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|------------------------------|

Telephone No. \_\_\_\_\_

| Name And Address Of Plaintiff's Attorney Or Agent |
|---------------------------------------------------|
|                                                   |

030

Attorney Bar No.

Attorney Bar No. \_\_\_\_\_

(Over)

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FILE

2019 FEB -5

**Destination of Premises (include location and address)**

Residential Premises (include location and address)  
 1702 Avenue Z Building  
 over 100000 Advertisements & Information Distribution  
 C.S. Co. Building, Land by Melissa + Richard (Royal  
 Commission)

☐ Conventional  
☐ Public Housing  
☐ Section 8

|                                          |                                   |                          |                              |                                                                                            |
|------------------------------------------|-----------------------------------|--------------------------|------------------------------|--------------------------------------------------------------------------------------------|
| Rate Of Rent (Tenant's Share)<br>\$ 1200 | Month <input type="checkbox"/>    | Date Rent Due<br>12/1/00 | Date Lease Ended<br>11/30/00 | Type Of Lease<br><input type="checkbox"/> Oral <input checked="" type="checkbox"/> Written |
|                                          | per <input type="checkbox"/> Week |                          |                              |                                                                                            |

3. ☐ The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.

☐ The lease period ended on the above date and the defendant is holding over after the end of the lease period.

☐ The defendant breached the condition of the lease described below for which re-entry is specified.

☐ Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below

Description Of Breach/Criminal Activity (give names, dates, places and illegal activity)

| Description Of Breach/Criminal Activity (give names, dates, places and illegal activity) |          |       |
|------------------------------------------------------------------------------------------|----------|-------|
| Nov                                                                                      | Rent     | 1500- |
|                                                                                          | Rent     | 1500- |
| Dec                                                                                      | Rent     | 1500- |
|                                                                                          | Rent     | 1500- |
|                                                                                          | Feb Rent | 1500- |
|                                                                                          |          | 6000  |
|                                                                                          |          | 7000  |
|                                                                                          |          | 13000 |

4. The plaintiff has demanded possession of the premises from the defendant, who has refused to surrender it, and the plaintiff is entitled to immediate possession.

5. The defendant owes the plaintiff the following:

| Description Of Any Property Damage | Quantity | Unit       | Value |
|------------------------------------|----------|------------|-------|
| 27 step dumping                    | 60       | trucks     | 0.12  |
| 1000 lbs. of                       | 1000     | lbs.       | 0.12  |
| over                               | 1300     | pictograms | 0.12  |

|                             |                         |                  |
|-----------------------------|-------------------------|------------------|
| Amount Of Damage (if known) | Amount Of Rent Past Due | Total Amount Due |
| \$ 100.00                   | \$ 650.00               | \$ 650.00        |

5. I demand to be put in possession of the premises and to recover the total amount listed above and daily rental until entry of judgment plus interest and reimbursement for court costs.

|      |        |                                                  |                                       |
|------|--------|--------------------------------------------------|---------------------------------------|
| Date | 2-5-13 | Name Of Plaintiff/Attorney/Agent (type or print) | Signature Of Plaintiff/Attorney/Agent |
|------|--------|--------------------------------------------------|---------------------------------------|

**CERTIFICATION WHEN COMPLAINT SIGNED BY AGENT OF PI AINTEEE**

certify that I am an agent of the plaintiff and have actual knowledge of the facts alleged in this Complaint.

|      |         |                               |                |                    |                    |
|------|---------|-------------------------------|----------------|--------------------|--------------------|
| Date | 6/25/94 | Name Of Agent (type or print) | James K. Jones | Signature Of Agent | <i>[Signature]</i> |
|------|---------|-------------------------------|----------------|--------------------|--------------------|

(Over)

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VCXP SWARTZLANDER,ROBERT  
NC AOC CIS CIVIL CASE PROCESSING SYSTEM 02/05/19 12:11:37  
HARNE CIVIL ACTIONS INDEX (CVS,CVD,CVM)  
F12 TO CHANGE INDEX OR SCOPE

START NAME: SWARTZLANDER,ROBERT  
ENTERED IN SYSTEM SINCE: \_\_\_\_\_ GO TO JUDGMENTS INDEX: N (Y,N)

SELECT PARTY INFORMATION USING: /=SELECT, P=PARTY, S=SERVICE, R=RESPONSE,  
I=ISSUE/ORDER DETAILS, M=MICROFILM

| PARTY                          | IN REGARDS TO             | CNTY    | FILE NUM  | S |
|--------------------------------|---------------------------|---------|-----------|---|
| _ SWARTZLANDER,ROBERT          | + RECORD PUBLISHING CO    | + HARNE | 08CVD2151 |   |
| _ SWARTZLANDER,ROBERT          | + FREEMAN,SHEVEZ          | + HARNE | 16CVM763  |   |
| _ SWARTZLANDER,ROBERT          | MULVALE,GINGER            | HARNE   | 16CVM1084 |   |
| _ SWARTZLANDER,ROBERT          | JOHN HIESTER CHRYSLER D   | HARNE   | 17CVM1371 |   |
| _ SWARTZLANDER,ROBERT          | + PAYNE,HOLLIS,ROBERT,III | HARNE   | 18CVM856  |   |
| _ SWARTZLANDER,ROBERT          | + J E WOMBLE & SONS INC   | HARNE   | 18CVM1359 |   |
| _ SWARTZLANDER,ROBERT          | + REED,SIMONE             | HARNE   | 18CVM1379 |   |
| _ SWARTZLANDER,ROBERT,L,JR     | NC STATE OF OBO           | + HARNE | 09CVD2369 |   |
| _ SWARTZLANDER,ROBERT,LAWRENCE | + PROFESSIONAL FINANCIAL  | HARNE   | 19CVM174  | P |
| _ SWARTZLANDER,ROBERT,LAWRENCE | UNIVERSAL ACCEPTANCE CO   | HARNE   | 19CVM93   | P |

CIVL0143I-END OF LIST, F8 NOT ALLOWED  
F1=HELP 3=EXIT 7=BKWD 8=FWD 12=CNCL

MORE:

VCXP GREESON, MALISSA

NC AOC CIS

HARNE

F12 TO CHANGE INDEX OR SCOPE

CIVIL CASE PROCESSING SYSTEM

CIVIL ACTIONS INDEX (CVS, CVD, CVM)

VCXP

02/05/19 12:12:04

START NAME: GREESON, MALISSA

ENTERED IN SYSTEM SINCE: \_\_\_\_\_ GO TO JUDGMENTS INDEX: N (Y,N)

SELECT PARTY INFORMATION USING: /=SELECT, P=PARTY, S=SERVICE, R=RESPONSE,  
I=ISSUE/ORDER DETAILS, M=MICROFILM

| PARTY                     | IN REGARDS TO            | CNTY  | FILE NUM | S |
|---------------------------|--------------------------|-------|----------|---|
| _ GREESON, MALISSA        | NATL FINANCE CO          | HARNE | 16CVM944 |   |
| _ GREESON, MALISSA, JOYCE | + PROFESSIONAL FINANCIAL | HARNE | 19CVM174 | P |

F1=HELP 3=EXIT 7=BKWD 8=FWD 12=CNCL

MORE: