

THE CIRCUIT COURT OF CRITTENDEN COUNTY, ARKANSAS

CIVIL DIVISION [Civil, Probate, etc.]

HICKS, et al.

Plaintiff

v.

No. cv-2012-290-6

THE WEST MEMPHIS, AR, POLICE DEPT., et al.

Defendant

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

SCOTT ELLINGTON

[Defendant's name and address.]

304-B MAIN STREET, JONESBORO AR 72403

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) — or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas — you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: KEN SWINDLE, 619 WEST PERSIMMON STREET, ROGERS AR 72756

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

CLERK OF COURT

Address of Clerk's Office

100 COURT STREET

MARION AR 72364

Sarah Traugh

[Signature of Clerk or Deputy Clerk]

Date: 9-4-12

[SEAL]

No. _____ This summons is for Scott Ellington (name of Defendant).

PROOF OF SERVICE

☒ I personally delivered the summons and complaint to the individual at 700 South Main Jonesboro, AL [place] on September 11, 2012 [date]; or

☐ I left the summons and complaint in the proximity of the individual by _____ after he/she refused to receive it when I offered it to him/her; or

☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at _____ [address] with _____ [name], a person at least 14 years of age who resides there, on _____ [date]; or

☐ I delivered the summons and complaint to _____ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of _____ [name of defendant] on _____ [date]; or

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]: _____

☐ I was unable to execute service because: _____

My fee is \$ _____.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____ SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[Signature of server]

[Printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: 9-11-12

By: Stev Floyd
[Signature of server]

Stev Floyd
[Printed name]

Address: 5421 Seaboard Drive

Jonesboro, AR 72404

Phone: 870-219-4747

Subscribed and sworn to before me this date: 9-12-12

Lisa Thompson
Notary Public

My commission expires: 9-9-2015



Additional information regarding service or attempted service:

Swindle Law Firm

619 West Persimmon Street

Rogers, AR 72756

Mr. Ken Swindle,

I served Mr. Scott Ellington at his office at 4:30PM on September 11. That address is 700 South Main Jonesboro, AR. If you ever have need of a process server in the Second Judicial District, I would greatly appreciate your business.

Thank You,

A handwritten signature in black ink, appearing to read "Steve Floyd", with a stylized flourish at the end.

Steve Floyd