

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL DISTRICT  
OF BOLIVAR COUNTY, MISSISSIPPI

JAMES K. LITTLETON

PLAINTIFF

V.

CASE NO.: 2013-0083

BONNIE C. LITTLETON

DEFENDANT

AMENDED COMPLAINT

**FILED**

TO THE HONORABLE COURT AFORESAID:

APR 01 2014

JURY TRIAL DEMANDED:

BOLIVAR COUNTY, MS P. OGG .M.  
MARLYN L. KELLY, CIRCUIT CLERK

BY: [Signature] D.C.

**COMES NOW**, Plaintiff, James K. Littleton, Pro Se, and files this cause of action against the Defendant, Bonnie C. Littleton, and would show unto the Court the following facts, to-wit:

**I. Jurisdiction and Venue**

1. This is a civil action seeking money damages for malicious prosecution and abuse of process arising out of the filing of lawsuits in the Chancery Court of Bolivar County, Mississippi (Second Judicial District), by the Defendant, Bonnie C. Littleton, which contain false and frivolous statements.

2. The incident complained of herein occurred in the Second Judicial District of Bolivar County, Mississippi.

3. This Court has jurisdiction over the subject matter and the parties in this matter.

**II. Parties**

4. Plaintiff, James K. Littleton, is an adult resident citizen of Leflore County, Mississippi.

5. Defendant, Bonnie C. Littleton, is an adult resident citizen of the Second Judicial District

of Bolivar County, Mississippi and may be served with a copy of this complaint by mailing and/or hand delivering and/or transmitting by electronic means, a copy of this complaint to her attorney, Robert M. Tyner, Jr., 143 Yazoo Avenue, Clarksdale, MS 38614.

### **III. Cause of Action**

6. On or about September 23, 2013, Defendant, Bonnie C. Littleton and Melaney Littleton-Phillips, filed a complaint against the Plaintiff, James K. Littleton, in the Second Judicial District of the Bolivar County Chancery Court with full knowledge that the allegations they lodged and levied and contained in the lawsuit were false, fabricated, and not true. That the false allegations made by the Defendant was made with malice aforethought.

7. That Defendant, Bonnie C. Littleton, caused a Complaint and a Petition To Set Aside Decree Closing Estate, to be filed in the Second Judicial District of the Bolivar County Chancery Court on September 23, 2013.

8. Specifically, Defendant in her Complaint and Petition To Set Aside Decree Closing Estate has lied that the signatures on the consent and waivers and the signatures on the deeds are not her authentic signature and have falsely accused the Plaintiff of forging both Bonnie C. Littleton and Melaney Littleton-Phillips. That if any signature is indeed forged, it is the actions of Bonnie C. Littleton and not that of the Plaintiff, James K. Littleton, in forging the signature of Melaney Littleton-Phillips.

9. That despite any allegations of forgery, neither Bonnie C. Littleton nor Melaney Littleton-Phillips are entitled to ownership of the house located at 509 E. Washington Street, Greenwood, MS, inasmuch as they are both aware that James K. Littleton owns the subject house and not James A. Littleton, Jr. That Defendant is aware that the house at 509 E. Washington Street, Greenwood, MS,

was held in resulting trust by James Littleton, Jr., deceased, and owned, purchased and renovated by James K. Littleton.

10. Upon information and belief, Plaintiff, James K. Littleton, and Bonnie C. Littleton and Melaney Littleton-Phillips have communicated by letters, text message and/or email with Melaney Littleton-Phillips and Bonnie C. Littleton acknowledging ownership of the house by James K. Littleton at 509 E. Washington Street, Greenwood, MS.

11. Additionally, Defendants are fully aware that the house located at 509 E. Washington Street, Greenwood, MS, and which is adjacent to the house located to the Plaintiff at 507 E. Washington Street, Greenwood, MS, was purchased by the Plaintiff and that James Littleton, Jr., held title to the property through a resulting trust. Despite this knowledge which is known by every member of the family of the Plaintiff and Defendants, Defendants have advanced these lies in court proceedings in an attempt to take possession and ownership of a house purchased and renovated by the Plaintiff, James K. Littleton.

12. Defendant are fully aware that the farm equipment owned by Littleton Farms was property of the farm partnership of which there were only two (2) partners, James K. Littleton and James Littleton, Jr. since 2002 until the death of James Littleton, Jr. in 2013. Despite this fact, Defendants have filed two (2) lawsuits filled with false and fabricated allegations in an attempt to take all of the farm equipment which belongs to the partnership.

13. Defendant, Bonnie C. Littleton, has also alleged that Plaintiff, James K. Littleton, has written her checks totaling \$34,363.29 and that she did not receive this money and that Plaintiff stole or took this money for himself. That the signature and/or endorsement of the back of all checks attached to Defendant's Chancery Court Complaint were deposited into Bonnie C. Littleton's account

and where she wrote under her endorsement "Deposit Only".

14. That when Plaintiff, James K. Littleton, wrote Defendant, Bonnie C. Littleton, the \$30,000.00 check following the death of his father he did so with the intent to cure or buy out any interest in the farm equipment that Bonnie C. Littleton and Melaney Littleton-Phillips may have had. That Bonnie C. Littleton now denies having received a check from James K. Littleton for \$30,000.00 after she deposited same into her checking account and she now seeks to collect more money my making false statements in the two chancery court lawsuits pending in Bolivar County Chancery Court Cause Numbers 2010-0276 an 2013-0255.

15. Defendants, Bonnie C. Littleton and Melaney Littleton-Phillips, are motivated by a deep rooted hatred toward the fiancee of the Plaintiff, James K. Littleton. Defendants, Bonnie C. Littleton and Melaney Littleton-Phillips, either through verbal communications to others or through emails, have made known their deed rooted hatred or dislike against the finacee of the Plaintiff, James K. Littleton, and as a result have filed false, frivolous and untrue allegations in their two (2) complaints filed in Bolivar County Chancery Court.

16. That on or about September 5, 2013, Defendant, Bonnie C. Littleton, filed and instituted false misdemeanor criminal charges against James K. Littleton and against Otis Bell in Bolivar County Justice Court with full knowledge that neither James K. Littleton nor Otis Bell has ever attempted any harm against her. That two (2) of Plaintiff, James K. Littleton, employees, Barry Hooper and Stanley Morton, are aware of the false allegations made by Bonnie C. Littleton against Otis Bell inasmuch as Bonnie C. Littleton was fully aware that Stanley Morton was the driver of tractor trailer which accidently drove through her green patch and not Otis Bell as she had falsely alleged. Otis Bell is the brother of Emma Bell, James Littleton's fiancee, and is also the farm manager for James

Littleton Farms. That upon information and belief, the Bolivar County Justice Court Judges refused to sign the affidavit against Otis Bell because the “affidavit and allegations did not make any sense and did not allege any harm against Bonnie C. Littleton”.

17. That upon information and belief, Defendant, Bonnie C. Littleton, filed and instituted false criminal charges against the Plaintiff, James K. Littleton, and against Otis Bell on September 5, 2013, because she had been previously advised by Attorney Helen Morris that the civil lawsuit she was attempting to institute against James K. Littleton was frivolous inasmuch as the signature obtained by Helen Morris from Bonnie C. Littleton on a deed she prepared for Defendant, Bonnie C. Littleton, was the exact signature and a match to the signature Bonnie C. Littleton is now claiming was forged in the two (2) complaints filed in Bolivar County Chancery Court.

18. That Defendant, Bonnie C. Littleton, is guilty of malicious prosecution and abuse of process and liable to Plaintiff for the damages and injuries resulting from their intentional and malicious acts in filing lawsuits filled with lies of forgery and for instituting criminal proceedings against the Plaintiff and against Otis Bell because of their deep rooted hatred and/or disapproval of Plaintiff's fiancée, Emma Bell.

19. That all times material hereto and prior to September 5, 2013, Defendant, Bonnie C. Littleton, was motivated by jealousy of the success of her son who has attempted various business ventures. Particularly, Defendant has gone onto property solely and individually owned by the Plaintiff taking photographs of newly purchased and acquired farm equipment and making inappropriate comments to the tenant of a house owned by Plaintiff, James K. Littleton, in Mound Bayou, Mississippi.

20. That inasmuch as Defendants, Bonnie C. Littleton, has lied about her son James K.

Littleton forging her signature and the signature of her daughter, damages should be awarded against her intentional infliction of emotional distress, abuse of process and malicious prosecution.

21. That at all times material hereto and prior to the filing of the instant lawsuit, Plaintiff, James K. Littleton, has submitted documents and information to Boyd P. Atkinson evidencing that a farm partnership only existed between James Littleton, Jr., and James K. Littleton, copies of the endorsement on the checks showing Bonnie C. Littleton's signature which is identical to the signature on the complaint, deeds, and waivers in the estate case, and other documents showing Bonnie C. Littleton's authentic signature.

22. That as of the filing of the instant complaint and after having been provided with the documents listed in the preceding paragraph, Attorney Robert Tyner continues to represent the both Bonnie C. Littleton and Melaney-Littleton despite the existence of the evidence, i.e. copies of Plaintiff's checks, Bonnie C. Littleton's authentic signature and despite a conflict of interest between Bonnie C. Littleton and Melaney Littleton-Phillips.

23. That upon information and belief, the signature of Melaney Littleton-Phillips is that of a female and not of James K. Littleton as alleged by the both Bonnie C. Littleton and Melaney Littleton-Phillips in the underlying chancery court estate case.

24. That at all times during the administration of the estate, all deeds and waivers for both Bonnie C. Littleton and Melaney Littleton-Phillips were submitted by the Plaintiff, James K. Littleton, to Bonnie C. Littleton, for her and Melaney to provide their signature. That both the deeds and the waivers were returned to James K. Littleton from Bonnie C. Littleton with a representation that the signatures were the authentic and original signatures of Bonnie C. Littleton and Melaney Littleton-Phillips.

25. That at all times material hereto, it was unknown to Plaintiff that Bonnie C. Littleton may have forged the signature of Melaney Littleton-Phillips until the filing of the two (2) lawsuits in the Bolivar County Chancery Court. Upon information and belief, Melaney Littleton-Phillips consented to and gave authority to Bonnie C. Littleton to sign her name on the deeds and the consent in question in underlying estate case in Bolivar County Chancery Court and now seeks to conspire with the Defendant, Bonnie C. Littleton, to assert fraud against the Plaintiff.

**WHEREFORE PREMISES CONSIDERED**, Plaintiff, James K. Littleton, sues and demands judgment from and against the Defendant, Bonnie C. Littleton, in the amount of \$50,000.00, to compensate him for all damages, together with interest and cost, as well as any other relief this Court deems just.

**WHEREFORE PREMISES CONSIDERED**, Plaintiff, James K. Littleton, sues and demands judgment from and against the Defendants, Bonnie C. Littleton, for punitive damages in an amount to be determined by the jury.

Respectfully submitted, this the 1<sup>st</sup> day of April, 2014.

James K. Littleton, Plaintiff

BY: James K. Littleton  
James K. Littleton, Pro Se  
P. O. Box 1155  
Greenwood, MS 38935  
Tel. No.: (662) 455-7777  
Fax No.: (662) 451-1995

Certificate of Service

I, James K. Littleton, do hereby certify that I caused a copy of the above complaint to be forwarded, via electronic means, to the following:

Robert M. Turner, Esq.  
143 Yazoo Avenue  
Clarksdale, MS 38614

This the 1<sup>st</sup> day of April, 2014

James K. Littleton  
James K. Littleton

IN THE CIRCUIT COURT OF BOLIVAR COUNTY, MISSISSIPPI  
SECOND JUDICIAL DISTRICT

JAMES K. LITTLETON

PLAINTIFF

V.

CASE NO.: 2013-0083

BONNIE C. LITTLETON

DEFENDANT

SUMMONS

**THE STATE OF MISSISSIPPI**

**TO:** Bonnie C. Littleton  
c/o Robert M. Tyner, Jr., Esq.  
Lockett Tyner Law Firm, P. A.  
143 Yazoo Avenue  
Clarksdale, MS 38614-1000

**THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**


You are required to mail or hand-deliver a copy of a written response to the Amended Complaint to Mr. James K. Littleton, Esq., of Littleton Law Office, the attorney for the Plaintiff(s), whose address is 402 E. Market Street, P. O. Box 1155, Greenwood, MS 38930. Your response must be mailed or delivered within (30) days from the date of delivery of this summons and amended complaint or a judgment by default will be entered against you for the money or other things demanded in the amended complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 1st day of April, 2014.

(Seal)

MARILEN L. KELLY  
CIRCUIT CLERK  
BOLIVAR County,





RETURN

State of Mississippi

County of \_\_\_\_\_

I personally delivered copies of the summons and amended complaint on the \_\_\_\_ day of \_\_\_\_\_, 2014, to: \_\_\_\_\_.

After exercising reasonable diligence I was unable to deliver copies of the summons and amended complaint to \_\_\_\_\_ within \_\_\_\_\_ County, Mississippi. I served the summons and amended complaint on the \_\_\_\_ day of \_\_\_\_\_, 2014, at the usual place of abode of said \_\_\_\_\_, by leaving a true copy of the summons and amended complaint with \_\_\_\_\_, who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person so as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and amended complaint, and thereafter on the \_\_\_\_ day of \_\_\_\_\_, 2014, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

I was unable to serve the summons and amended complaint.

This the \_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_  
Constable or Sheriff