

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

BONNIE C. LITTLETON, AND MELANEY
LITTLETON

PLAINTIFFS

VERSUS

CAUSE NO.: 22-205

JAMES K. LITTLETON

DEFENDANT

**COMPLAINT TO SET ASIDE FRAUDULENT TRANSFER
OF REAL ESTATE**

TO THE HONORABLE CHANCERY COURT OF BOLIVAR COUNTY:

COMES NOW, the Plaintiffs, **Bonnie C. Littleton, and Melaney Littleton**, and files this their Complaint to Set Aside Fraudulent Transfer of Real Estate against the Defendant, **James K. Littleton**, and for cause would respectfully show unto this Honorable Court the following, to-wit:

I. PARTIES

1. Plaintiff, **Bonnie C. Littleton**, is an actual resident of Bolivar County, Second Judicial District, Mississippi, and she has been a bona fide resident citizen of the State of Mississippi for more than six (6) months next preceding the filing of this cause. Plaintiff resides at 834 Henry Hall Road, Mound Bayou,, Mississippi 38762.

2. Plaintiff, **Melaney Littleton**, is a non-resident citizen of the State of Mississippi being a resident citizen of the State of Missouri. Plaintiff, **Melaney Littleton**, resides at 8420 Delmar Blvd., Ste. 305, St. Louis, MO.

II.

3. Defendant, **James K. Littleton**, is an actual resident of Leflore County, State of Mississippi, and he can be served at his place of business at 507 East Washington Street, Greenwood, Mississippi 38930.

**III.
FIRST CAUSE OF ACTION**

4. Plaintiffs realleges and reincorporates the allegations against Defendant contained in Paragraph 1 through 3 above, as if stated fully herein and adds:

5. That on or about August 23, 2000, Daisie L. Conwell, Bonnie C. Littleton's mother, and Melenay Littleton's grandmother, transferred the following described real estate to Bonnie C.

Littleton by Quitclaim Deed:

The Northwest Quarter of the Southeast Quarter of Section 25, Township 24 North, Range 6 West, containing 40 acres of land, more or less. Filed in Book M235, Page 723.

Said instrument, Quitclaim Deed, was prepared by Defendant, James K. Littleton.

6. Thereafter, and by agreement of the parties, Defendant, James K. Littleton, and Plaintiff, Bonnie C. Littleton, Defendant, James K. Littleton, was allowed to rent the real estate. Since the transfer of the real estate from Daisie L. Conwell to Bonnie C. Littleton, Defendant, James K. Littleton has not paid his mother, Plaintiff, Bonnie C. Littleton, any monies for rent of the real estate.

7. And only recently, did Plaintiffs, Bonnie C. Littleton, and Melaney Littleton, discover that another deed existed wherein the same real estate which had been acquired by Plaintiff, Bonnie Littleton, from her mother, Daisie L. Conwell, had been acquired by Defendant, James Littleton by a fabricated Quitclaim Deed dated December 10, 2010. Said Quitclaim Deed was filed and recorded on December 17, 2010 in Book 0210, Page 2923. And again, Plaintiff never signed said Quitclaim Deed transferring her interest in the real property.

8. The purported Quitclaim Deed contained a signature of Bonnie C. Littleton, which signature was not made by Plaintiff, Bonnie C. Littleton. In said Quitclaim Deed, Plaintiff, Bonnie C. Littleton, purportedly transferred her entire interest in said real estate to James K.

Littleton and Melaney Littleton “as Joint Tenants with full Rights of Survivorship”. Plaintiff would show that she never signed said Quitclaim Deed transferring her interest in said real estate to her son, and daughter.

IV.

9. Plaintiffs, **Bonnie C. Littleton, and Melaney Littleton**, realleges and reincorporates the allegations contained in Paragraphs 5 through 8 above, as if stated fully herein and adds:

10. Just recently, Plaintiff, Melaney Littleton, sister of Defendant, discovered that her name had been added to the Quitclaim Deed transferring her interest in said above-mentioned real property to her brother, Defendant, James Littleton. Plaintiff, Melaney Littleton, would show that she never signed a Quitclaim Deed or Warranty Deed or any Deed transferring her interest in said real property to Defendant, James Littleton. And Further, she, Melaney Littleton, requests that this Court declares the purportedly signed Quitclaim Deed null and void, and restores Plaintiff, **Bonnie C. Littleton's, interest in said real property.**

11. **Further**, Plaintiff would show that the Justice Court of Bolivar County, has barred Plaintiffs from having any contact with said lands, and have effectively prevented Plaintiffs from a well which was built by Plaintiffs for their consumption of water and for irrigation of the real property.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs prays for process to be issued for the Defendant whose post office address is unknown, and whose street address is 507 East Washington Street, Greenwood, Mississippi 38930 requiring him to answer, plead, or otherwise respond to this Complaint to Set Aside Fraudulent Transfer of Real Estate within the time and manner prescribed by law and that upon a final hearing of this cause that this Court declares any and all Quitclaim Deeds purportedly signed by Plaintiff, Bonnie C. Littleton, wherein said real estate was transferred by her to her son, James K. Littleton, be declared null and void as being fraudulent made; ; that Defendant be required to pay to Plaintiffs their costs including attorney's fees, court costs, and sheriff's fees.

Respectfully submitted,

Bonnie C. Littleton
BONNIE C. LITTLETON

Melaney Littleton
MELANEY LITTLETON

BY: /s/ Azki Shah
AZKI SHAH
COUNSEL FOR PLAINTIFF

Azki Shah

AZKI SHAH
ATTORNEY AT LAW
318 DELTA AVENUE
CLARKSDALE, MS 38614
662-621-9996
FAX: 662-621-9997
email: atty.azki.shah@gmail.com

STATE OF MISSISSIPPI

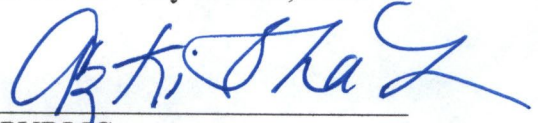
COUNTY OF COAHOMA

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above named county and State, **Bonnie C. Littleton**, Plaintiff in the above-styled and numbered cause, who, being by me first duly sworn, deposes and says that the above and foregoing Complaint to Set Aside Fraudulent Transfer of Real Estate is true and correct as herein stated.

Affiant says further that all other matters, things and allegations made and contained in the above and foregoing Complaint to Set Aside Fraudulent Transfer of Real Estate are true and correct as therein stated.

Bonnie C. Littleton
BONNIE C. LITTLETON

SWORN TO AND SUBSCRIBED BEFORE ME, this the 18th day of June, 2022



NOTARY PUBLIC

MY COMMISSION EXPIRES:

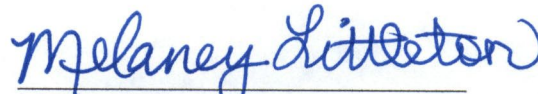


STATE OF MISSISSIPPI

COUNTY OF COAHOMA

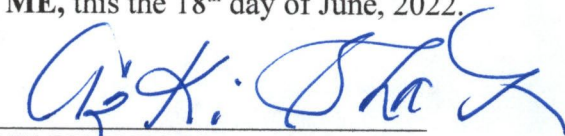
THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above named county and state, **Melaney Littleton**, Plaintiff in the above-styled and numbered cause, who, being by me first duly sworn, deposes, and says that the the above and foregoing Complaint to Set Aside Fraudulent Transfer of Real Estate is true and correct as herein stated.

Affiant says further that all other matters, things, and allegations made and contained in the above and foregoing Complaint to Set Aside Fraudulent Transfer of Real Estate are true and correct as therein stated.



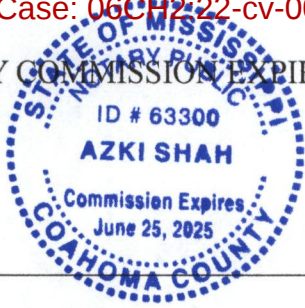
MELANEY LITTLETON

SWORN TO AND SUBSCRIBED BEFORE ME, this the 18th day of June, 2022.



NOTARY PUBLIC

MY COMMISSION EXPIRES:



STATE OF MISSISSIPPI
COUNTY OF BOLIVAR
CERTIFY THIS INSTRUMENT
WAS FILED AND RECORDED

2011 DEC -8 PM 12: 52

IN BOOK — PAGE —
BRENETT N. HAYNES
CHANCERY CLERK
B. Haynes Littleton, D.C.

Filed And Recorded
DECEMBER 8 2011 12:52:37PM
Instrument 21102708 Page 1 of 9
Book 0211 Page 2708
Bolivar County
Brenett Haynes

PREPARED BY & RETURN TO: 002708

MORRIS & ASSOCIATES
900 S. Chrisman Avenue
Post Office Box 656
Cleveland, MS 38732-0656
Tel: 662/846-6691
Fax: 662/843-8136

GRANTORS:
BONNIE C. LITTLETON
834 Henry Hall Road
Mound Bayou, MS 38762
Tel: 662-741-2615

GRANTEES:
BONNIE C. LITTLETON
834 Henry Hall Road
Mound Bayou, MS 38762
Tel: 662-741-2615

JAMES K. LITTLETON
507 East Washington Street
Greenwood, MS 38930
Tel: 662-455-7777

JAMES K. LITTLETON
507 East Washington Street
Greenwood, MS 38930
Tel: 662-455-7777

MELANEY LITTLETON
8420 Delmar Blvd., Ste. 305
St. Louis, MO 63124
Tel: 314-322-5764

ABSTRACTS:

1.0 Acre Tract, M/L
Part of NW¼ of SE¼
S25, T24N, R6W
Bolivar Co., MS
(Bonnie Littleton)

NW¼ of SE¼
S25, T24N, R6W
Bolivar Co., MS,
Containing 35 acres, M/L
(James Littleton)

CORRECTION QUITCLAIM DEED

WHEREAS by Quitclaim Deed dated December 10, 2010, and filed for record on

December 17, 2010 at 12:53 p.m. and recorded as Instrument Number 21002923 in Book 0210 at Page 2923 in the land deed records on file in the Office of the Chancery Clerk of Bolivar County at Cleveland, Mississippi, BONNIE C. LITTLETON, did convey and quitclaim the real property described in said deed to JAMES K. LITTLETON and MELANEY LITTLETON, as joint tenants with full rights of survivorship; and

WHEREAS, the legal description erroneously conveyed 40 acres to the grantees therein, and it is the intent hereof to correct the matter and to properly convey title in and to said real property located and situated in Bolivar County, Mississippi; NOW, THEREFORE,

FOR AND IN CONSIDERATION of the love and affection the GRANTORS AND GRANTEES have for one another, the GRANTORS, BONNIE C. LITTLETON, JAMES K. LITTLETON and MELANEY LITTLETON, do hereby bargain, sell, convey, quitclaim and deliver unto **BONNIE C. LITTLETON**, the real property particularly described as follows, to-wit:

See Legal Description attached hereto as Exhibit "A" and incorporated herein by reference as if fully set forth in words and figures.

Further, the GRANTORS herein, BONNIE C. LITTLETON, JAMES K. LITTLETON and MELANEY LITTLETON, do hereby bargain, sell, convey, quitclaim and deliver unto **JAMES K. LITTLETON**, the real property particularly described as follows, to-wit:

See Legal Description attached hereto as Exhibit "B" and incorporated herein by reference as if fully set forth in words and figures.

WITNESS the signature of the Grantor, this 5 day of December, A.D.,

2011.

Bonnie C. Littleton
BONNIE C. LITTLETON

STATE OF MISSISSIPPI §
COUNTY OF BOLIVAR §

BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, personally appeared this day, BONNIE C. LITTLETON, who acknowledged that she signed, sealed and delivered the above and foregoing Correction Quitclaim Deed on the date and year as therein mentioned as her own voluntary act and deed.

GIVEN under my hand and official seal, this 5 day of December, A.D., 2011.



Helen Morris
NOTARY PUBLIC

My Commission Expires

9/08/2015

WITNESS the signature of the Grantor, this 23rd day of November,
A.D., 2011.

James K. Littleton
JAMES K. LITTLETON

STATE OF MISSISSIPPI §
COUNTY OF LEFLORE §

BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid,
personally appeared this day, JAMES K. LITTLETON, who acknowledged that he
signed, sealed and delivered the above and foregoing Correction Quitclaim Deed on the
date and year as therein mentioned as his own voluntary act and deed.

GIVEN under my hand and official seal, this 23rd day of November,
A.D., 2011.

Nancy Hudson
NOTARY PUBLIC

My Commission Expires:

1/21/2012



EXHIBIT "A"
BONNIE C. LITTLETON
LEGAL DESCRIPTION

Commencing from an iron pin at the West Quarter corner of Section 25, Township 24 North, Range 6 West, Bolivar County, Mississippi; thence North $89^{\circ}57'23''$ East 3104.55 feet to an iron pin on the South right of way of Henry Hall Road, which is the Point of Beginning; thence South $89^{\circ}42'58''$ East 208.73 feet along said right of way to an iron pin; thence South $00^{\circ}16'31''$ West 208.71 feet to an iron pin; thence North $89^{\circ}43'04''$ West 208.72 feet to an iron pin; thence North $00^{\circ}16'18''$ East 208.71 feet to the point of beginning and containing 1.0 acre, more or less, all being in the Northwest Quarter of the Southeast Quarter of Section 25, Township 24 North, Range 6 West, Bolivar County, Mississippi.

Property Address: 824 Henry Hall Road, Mound Bayou, MS
38762

PLAT OF A 1.0 ACRE PARCEL
 IN SECTION 25, TOWNSHIP 24 NORTH, RANGE
 6 WEST, BOLIVAR COUNTY, MISSISSIPPI

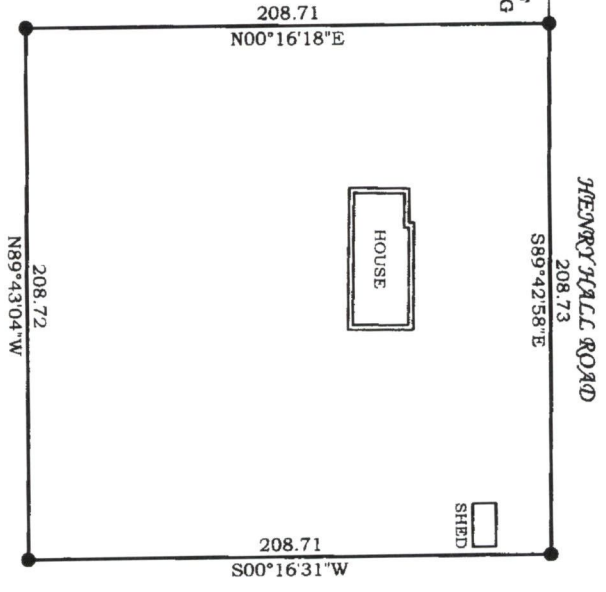
COMMENCEMENT
 POINT
 WEST QTR
 CORNER OF
 SECT 25
 FOUND COTTON
 PICKER SPINDLE



SCALE: 1" = 60'
 CLASS "B" SURVEY
 SURVEY COMPLETED ON
 OCTOBER 21, 2011 FOR
 BONNIE LITTLETON
 MERIDIAN BASED ON
 GRID NORTH S.F.C.S.
 MS WEST NAD 83 AS
 ESTABLISHED BY GLOBAL
 POSITIONING SYSTEM
 ● - DEMOTES SET 1/2" REBAR

DESCRIPTION

COMMENCING FROM AN IRON PIN AT THE WEST QUARTER CORNER
 OF SECTION 25, TOWNSHIP 24 NORTH, RANGE 6 WEST,
 BOLIVAR COUNTY, MISSISSIPPI;
 THENCE NORTH 89°57'23" EAST 3104.55 FEET TO AN IRON PIN ON
 THE SOUTH RIGHT OF WAY OF HENRY HALL ROAD,
 WHICH IS THE POINT OF BEGINNING;
 THENCE SOUTH 89°42'58" EAST 208.73 FEET ALONG SAID RIGHT
 OF WAY TO AN IRON PIN;
 THENCE SOUTH 00°16'31" WEST 208.71 FEET TO AN IRON PIN;
 THENCE NORTH 89°43'04" WEST 208.72 FEET TO AN IRON PIN;
 THENCE NORTH 00°16'18" EAST 208.71 FEET TO THE POINT OF
 BEGINNING AND CONTAINING 1.0 ACRES, AS SHOWN ON THE
 ATTACHED PLAT. ALL BEING IN THE NORTHWEST QUARTER
 OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP
 24 NORTH, RANGE 6 WEST, BOLIVAR COUNTY, MISSISSIPPI.



TERRELL RICHARDS SMITH
 REGISTERED PROFESSIONAL LAND SURVEYOR
 REG. NO. 745,2632

STATE OF MISSISSIPPI
 SWALDY & WELDON
 SURVEYORS
 6700 W. STATE ST. SUITE 200
 MEMPHIS, TN 38117
 PHONE (901) 627-4838 FAX (901) 627-4933
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 DO NOT COPY WITHOUT EXPRESS PERMISSION



EXHIBIT "B"
JAMES K. LITTLETON
LEGAL DESCRIPTION

The Northwest Quarter of the Southeast Quarter of Section 25,
Township 24 North, Range 6 West (NW¼ of SE¼, S25, T24N,
R6W), Bolivar County, Mississippi;

LESS AND EXCEPT:

Commencing from an iron pin at the West Quarter corner of
Section 25, Township 24 North, Range 6 West, Bolivar County,
Mississippi; thence North 89°57'23" East 3104.55 feet to an iron
pin on the South right of way of Henry Hall Road, which is the
Point of Beginning; thence South 89°42'58" East 208.73 feet
along said right of way to an iron pin; thence South 00°16'31"
West 208.71 feet to an iron pin; thence North 89°43'04" West
208.72 feet to an iron pin; thence North 00°16'18" East 208.71
feet to the point of beginning and containing 1.0 acre, more or
less, all being in the Northwest Quarter of the Southeast
Quarter of Section 25, Township 24 North, Range 6 West,
Bolivar County, Mississippi.

Property Address: 824 Henry Hall Road, Mound Bayou, MS
38762;

AND

LESS AND EXCEPT:

Part of the Northwest Quarter of the Southeast Quarter of
Section 25, Township 24 North, Range 6 West, Bolivar County,
Mississippi, described by metes and bounds, as follows:
Commencing at the Northwest corner of the Northwest Quarter
of the Southeast Quarter of said Section 25 and run East along
the North line of the Northwest Quarter of the Southeast
Quarter of said Section 25 and along the center of a County

paved road for 660.00 feet; thence run South for 20.00 feet to a point on the South Right of Way line of said road and the POINT OF BEGINNING of the tract herein being described; thence run East along said Right of Way line and parallel with the North line of the Northwest Quarter of the Southeast Quarter of said Section 25 for 626.13 feet; thence run South for 208.71 feet; thence run West parallel with the North line of the Northwest Quarter of the Southeast Quarter of said Section 25 for 626.13 feet; thence run North for 208.71 feet to the POINT OF BEGINNING, containing 3.0000 acres of land, more or less;

Said Real Property commonly referred to as: 834 Henry Hall Road, Mound Bayou, MS 38762 was conveyed by James K. Littleton and Melaney Littleton to Bonnie C. Littleton via Quitclaim Deed dated May 25, 2011, filed for record on June 6, 2011 and recorded as Instrument Number 21101255 in Book 0211 at Page 1255 in the land deed records on file in the Office of the Chancery Clerk of Bolivar County, at Cleveland, Mississippi.