

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF LAWRENCE)

IN CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, Plaintiff, vs. KR BUILDERS, LLC, Defendant.	40CIV21-000051 MOTION FOR DEFAULT JUDGMENT
--	--

COMES NOW the above-named Plaintiff, by and through its attorney of record and respectfully request that the Court enter a judgment in favor of Plaintiff and against Defendant.

This motion is made for the following reasons and upon the following grounds:

1. The Plaintiff's Summons and Complaint in this action was served upon Justin Thomas Riss, for the business known as KR Builders, LLC, on March 29, 2021, by the Campbell County Sheriff's Office, in Wyoming, as shown on the Sheriff's Return of Personal Service filed with the Court and attached hereto as Exhibit A.

2. The Campbell County Sheriff's Office, in Wyoming, attempted to serve Shawn Karol for the business known as KR Builders, LLC, on April 23, April 26, and April 27, 2021. The documents were not able to be personally served upon Shawn Karol as shown in Exhibit B.

3. The Plaintiff's Summons and Complaint in this action was served by publication upon KR Builders, LLC and Shawn Karol, with the last date of publication being June 12, 2021, as shown on the Affidavit of Publication filed with the Court and attached hereto as Exhibit C.

4. No appearance or answer has been made or filed, and more than thirty (30) days have elapsed since service of said Summons and Complaint.

Accordingly, Plaintiff is entitled to entry of Judgment of Default.

WHEREFORE, Plaintiff prays that the Court enter its Judgment as follows:

1. A judgment in favor of the of the Plaintiff and against Defendant on the Complaint in the amount of \$1,000.00.

Dated this 2nd day of August, 2021.

MAY, ADAM, GERDES & THOMPSON LLP

BY:

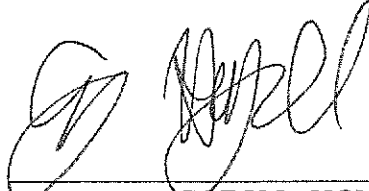


BRETT KOENECKE
CODY L. HONEYWELL
Attorneys for Plaintiff
503 South Pierre Street
PO Box 160
Pierre SD 57501
(605) 224-8803; Fax: (605) 224-6289
brett@mavadam.net
cody@mavadam.net

CERTIFICATE OF SERVICE

Cody L. Honeywell of May, Adam, Gerdes & Thompson LLP hereby certifies that on this 2nd day of August, 2021, he electronically filed and served via the Odyssey File & Serve system and served via United States mail, first-class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

KR Builders, LLC
c/o Shawn Karol
610 Oregon Ave
Gillette WY 82718



CODY L. HONEYWELL

State of Wyoming
Campbell County
Civil Division
GILLETTE, WY 82718

Process Number: 106163

Court Number: 40CIV21-00051

I, Scott Matheny, Sheriff of Campbell County do hereby certify that I received the within and foregoing Summons and Complaint, Letter on 25th day of March, 2021, and that I served the same on:

KR BUILDERS LLC (Defendant)
1407 MANCHESTER ST
GILLETTE, WY 82716
Served on: 28th day of March, 2021 at 19:02:00 by CARTER JEFFREY
Served to: JUSTIN RISS ()
1407 MANCHESTER ST
GILLETTE, WY 82716

Returned on the 29th day of March, 2021

I also certify that I endorsed on the said copy the date of service, signed my name, and added my official title thereto.

Dated the 29th day of March, 2021

Fees:
Service: 50.00
Mileage: 0.00
Other : 0.00
Total : 50.00

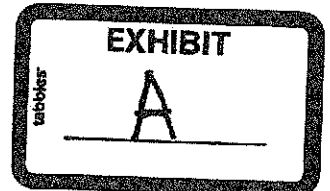
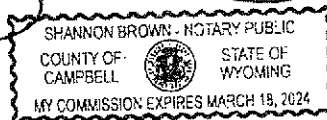
Scott Matheny, Sheriff
Campbell County, Wyoming
BY: [Signature]
Deputy Sheriff
Campbell County Sheriff's Office

State of Wyoming
County of Campbell

Subscribed and sworn to before me by Jeffrey Carter this
29th day of March, 2021

My commission expires:
March 18, 2024

[Signature]
Notary Public



State of Wyoming
Campbell County
Civil Division
GILLETTE, WY 82718

Process Number: 106409

Court Number: 40CIV21-000051

I, Scott Matheny, Sheriff of Campbell County do hereby certify that I received the within and foregoing Letter, Summons and Complaint, Order on 23rd day of April, 2021, and that I served the same on:

KR BUILDERS LLC
1407 MANCHESTER ST
GILLETTE, WY 82716

(Defendant)

I have made due search and inquiry and exercised due diligence, but I am returning the Letter, Summons and Complaint, Order UNSERVED after making the following service attempts:

Service attempted on 27th day of April, 2021 at 09:10:00
NO CONTACT AT 1407 MANCHESTER STREET. LEFT NOTICE.

Service attempted on 26th day of April, 2021 at 19:48:00
NO CONTACT AT 610 OREGON AVENUE. OLD NOTICE STILL THERE.

Service attempted on 26th day of April, 2021 at 08:17:00
NO CONTACT AT 610 OREGON AVENUE. LEFT NOTICE, LOOKS ABANDONED.

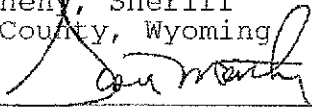
Service attempted on 23rd day of April, 2021 at 17:59:00
NO CONTACT AT 610 OREGON AVENUE.

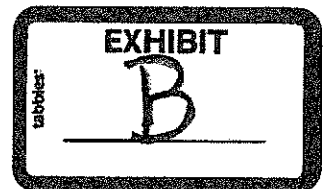
Dated the 28th day of April, 2021

Fees:

Service:	0.00
Mileage:	0.00
Other :	50.00
Total :	50.00

Scott Matheny, Sheriff
Campbell County, Wyoming

BY: 
Deputy Sheriff
Campbell County Sheriff's Office



AFFP

AMENDED SUMMONS 40CIV21-

Affidavit of Publication

STATE OF WYOMING }
COUNTY OF CAMPBELL } SS

Ann Kennedy Turner, being duly sworn, says:

That she is Publisher of the The Gillette News Record, a daily newspaper of general circulation, printed and published in Gillette, Campbell County, Wyoming; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 22, 2021, May 29, 2021, June 05, 2021, June 12, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Ann Kennedy Turner
Publisher

Subscribed to and sworn to me this 12th day of June 2021.

Valerie A. Kettrey
Valerie A. Kettrey, Notary Public, Campbell County, Wyoming

My commission expires: August 03, 2021

Publication Fees: \$ 441.00

00033029 00368027

May Adam
P.O. Box 160
Pierre, SD 57501

AMENDED SUMMONS
IN THE CIRCUIT)
COURT)
FOURTH JUDICIAL)
DISTRICT)
ss.)
STATE OF)
SOUTH DAKOTA)
COUNTY OF)
LAWRENCE)
STATE OF)
SOUTH DAKOTA)
plaintiff,)
vs.)
KR BUILDERS, LLC)
Defendant.)
40CIV21-000051)

TO THE ABOVE-NAMED RESPONDENTS: KR BUILDERS, LLC, SHAWN KAROL, 610 OREGON AVENUE, GILLETTE, WYOMING, 82718

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon Cody Honeywell, Petitioner's attorney, whose address is 503 South Pierre Street, P.O. Box 160, Pierre, South Dakota 57501-0160, an answer to the Summons and Complaint which is herewith served upon you within 30 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Dated this 20th day of April, 2021.
MAY, ADAM, GERDES & THOMPSON LLP

BY:
/s/ Cody L. Honeywell
BRETT KOENECKE
CODY L. HONEYWELL
Attorneys for State
of South Dakota
503 South Pierre Street
PO Box 160
Pierre, SD 57501-0160
(605) 224-8803
brett@mayadam.net
cody@mayadam.net

This Summons and Complaint were filed in the Office of the Lawrence County Clerk of Courts, Fourth Judicial Circuit, Deadwood, South Dakota on March 17, 2021. This Amended Summons was filed in the Office of the Lawrence County Clerk of Courts, Fourth Judicial Circuit, Deadwood, South Dakota on April 20, 2021.
May 22, 29, June 5, 12, 2021

