

IN THE CHANCERY COURT OF MADISON COUNTY, TENNESSEE
AT JACKSON

FILED

2007 OCT -9 AM 9:06

ROBERT L. JONES)

Plaintiff,)

vs.)

CITY OF JACKSON,
TENNESSEE)

Defendant.)

No.: 64977

PAM LARTER
CLERK & MASTER
BY: 
DEPUTY CLERK

COMPLAINT FOR INJUNCTIVE RELIEF AND FOR DAMAGES

Comes now STEPHEN C. BROOKS, Attorney for the Plaintiff, ROBERT JONES:

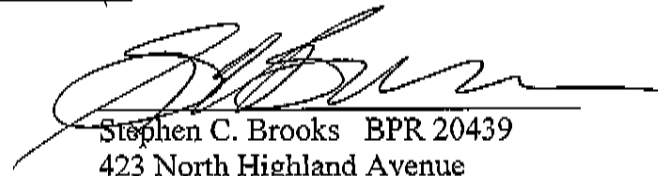
1. Robert Jones owns Payless Motel, located at 1311 S. Highland Avenue, Jackson, Tennessee.
2. The property and building located at 1311 S. Highland Avenue, Jackson, Tennessee is a principle place of business for Payless Motel.
3. As a result of an inspection conducted on August 30, 2007, the City filed an Administrative Complaint on September 10, 2007 against Robert L. Jones as the owner of the property located at 1311 S. Highland Avenue, Jackson, Tennessee.
4. An Administrative Hearing was held on September 26, 2007. At said hearing Plaintiff advised the City of Jackson as to a plan to rectify those conditions needing repair to the property.
5. On October 2, 2007, Henry Poe, a licensed contractor retained by Plaintiff, Jones, presented to Greg Rowland, an employee of the City of Jackson, requesting a permit to begin making repairs to the property at 1311 S. Highland Avenue.
6. The City of Jackson denied Poe the permit necessary to begin making the repairs to the property located at 1311 S. Highland Avenue.
7. Therefore, the Plaintiff is without the ability to make the repairs necessary to rectify the alleged unsafe conditions in the Complaint issued by the City of Jackson against Robert Jones.

WHEREFORE, PREMISES CONSIDERED, THE COMPLAINANT PRAYS:

- 1. That he be allowed to file this Motion.
- 2. That the Hearing be waived, and that the Court enter an Ex Parte Order granting a Temporary Restraining Order and Injunction as requested herein.
- 3. That the Order be made permanent upon the final hearing of this cause and entered without bond.
- 4. That he be given all other relief to which he may be entitled and the proof may dictate.

THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS CAUSE.

This 9th day of October, 2007.




Stephen C. Brooks BPR 20439
423 North Highland Avenue
Jackson, TN 38301
(731) 422-6895
(731) 422-6827

CERTIFICATE OF SERVICE

I, STEPHEN C. BROOKS, do hereby certify that a true and correct copy of the foregoing Motion for Temporary Restraining Order and Injunctive Relief has been furnished to Defendant.

This 9th day of October, 2007.



STEPHEN C. BROOKS
Attorney for Plaintiff

IN THE CHANCERY COURT OF MADISON COUNTY, TENNESSEE
AT JACKSON

FILED

2007 OCT -9 AM 9:06

ROBERT L. JONES and Owner
of PAYLESS MOTEL,)

Complainant,)

vs.)

CITY OF JACKSON,
TENNESSEE)

Defendant.)

No.: 64977

PAM CARTER
CLERK & MASTER

BY: [Signature]
DEPUTY CLERK

MOTION FOR RESTRAINING ORDER AND INJUNCTION RELIEF

Comes now STEPHEN C. BROOKS, Attorney for the Complainant, ROBERT JONES:
That this Court Being a Court of Equity and there is no alternative venue available to grant
relief to complainant.

1. That the Defendant, City of Jackson, be immediately restrained, enjoined, barred and prohibited from causing property located at 1311 S. Highland Avenue, Jackson, Tennessee from being condemned or demolished.
2. That the Defendant, City of Jackson be immediately retrained, enjoined and barred from taking any further action against property located at 1311 S. Highland Avenue, Jackson, Tennessee until such time as Complainant be allowed to make the repairs necessary as determined by this Court.

JUST CAUSE

3. The City of Jackson performed an inspection of the property and building located at 1311 S. Highland Avenue, Jackson, Tennessee on August 30, 2007. The City alleges that the inspection was the result of several complaints regarding the building being unsafe and/ or unfit.
4. As a result of the inspection conducted on August 30, 2007, the City filed an Administrative Complaint on September 10, 2007 against Robert L. Jones as the owner of the property located at 1311 S. Highland Avenue, Jackson, Tennessee.

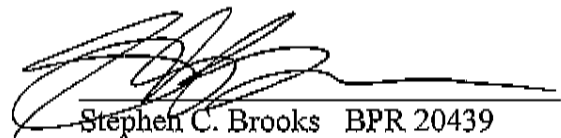
5. An Administrative Hearing was held on September 26, 2007. At said hearing Complainant advised the City of Jackson as to a plan to rectify those conditions needing repair to the property.
6. On October 2, 2007, Henry Poe, a licensed contractor retained by Complainant Jones, presented to Greg Rowland, an employee of the City of Jackson, requesting a permit to begin making repairs to the property at 1311 S. Highland Avenue.
7. The City of Jackson denied Poe the permit necessary to begin making the repairs to the property located at 1311 S. Highland Avenue.
8. Therefore, the Complainant is without the ability to make the repairs necessary to rectify the alleged unsafe conditions in the Complaint issued by the City of Jackson against Robert Jones.

WHEREFORE, PREMISES CONSIDERED, THE COMPLAINANT PRAYS:

1. That he be allowed to file this Motion.
2. That the Hearing be waived, and that the Court enter an Ex Parte Order granting a Temporary Restraining Order and Injunction as requested herein.
3. That the Order be made permanent upon the final hearing of this cause and entered without bond.
4. That he be given all other relief to which he may be entitled and the proof may dictate.

THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS CAUSE.

This 9th day of October, 2007.



Stephen C. Brooks BPR 20439
423 North Highland Avenue
Jackson, TN 38301
(731) 422-6895
(731) 422-6827

CERTIFICATE OF SERVICE

I, STEPHEN C. BROOKS, do hereby certify that a true and correct copy of the foregoing Motion for Restraining Order and Injunctive Relief has been furnished to Defendant.

This ___ day of _____, 2007.

STEPHEN C. BROOKS
Attorney for Complainant

SWORN AFFIDAVIT

I, **HENRY POE**, do hereby swear and affirm that the following to be true:

1. That I was hired by Robert L. Jones to complete certain work at 1311 South Highland Avenue, Jackson, Tennessee.
2. Then I went to the City of Jackson seeking a permit to perform work at 1311 South Highland Avenue.
3. That Greg Rowland, an employer of the City of Jackson denied and would not issue a permit to begin work at 1311 South Highland Avenue.

Henry Poe

HENRY POE

SWORN TO AND SUBSCRIBED BEFORE ME THE UNDERSIGNED NOTARY
 PUBLIC ON THIS THE 4th DAY OF October, 2007.

[Signature]

 NOTARY PUBLIC AT LARGE
 STEPHEN C. BROOKS
 NOTARY PUBLIC COUNTY, TENN.

MY COMMISSION EXPIRES: *[Signature]* 2010

SUMMONS

COPY

R.D. No. 64977

STATE OF TENNESSEE
IN THE CHANCERY COURT OF MADISON COUNTY, TENNESSEE

TO:

LEWIS COBB

ATTORNEY FOR CITY OF JACKSON, TENNESSEE


JACKSON, TN 38301

You are summoned to appear and defend a civil action filed against you entitled:

ROBERT L. JONES

VS.

CITY OF JACKSON, TENNESSEE

 IF YOU HAVE A DISABILITY
AND REQUIRE ASSISTANCE,
PLEASE CALL
731-988-3070

Which has been filed in Chancery Court, Madison County, Tennessee, and your defense must be made within thirty (30) days from the date this summons is served upon you. You are further directed to file your defense with the Clerk of the court and send a copy to ATTORNEY, STEPHEN C. BROOKS, plaintiff's attorney, whose address is 423 NORTH HIGHLAND AVENUE, JACKSON, TN 38301.

In the case of your failure to defend this action by the above date, judgment by default can be rendered against you for the relief demanded in the complaint.

ISSUED: October 9, 20 07.

PAM CARTER, CLERK AND MASTER

By: Cathy Hanna
Deputy Clerk & Master