



New Search

— Case Information

Case ID: 13-M47C-00170 Case Location: Magistrate Court of Tucker County, West Virginia

Description: Master's Pest Management, LLC vs. Loughry Filing Date: 12/04/2013

Type: CI - Civil Status: Dismissed

Trial Type: None Claim/Amount: \$530.00

Appearance Date: Agency:

— Related Cases

No Related Cases Found.

— Case Charges

No Charges Found.

— Civil Judgments

No Monetary Judgments Found.

| Non-Monetary Judgments            |            |           |             |              |            |                        |
|-----------------------------------|------------|-----------|-------------|--------------|------------|------------------------|
| Judgment/Dismissed/Withdrawn Date | Court Cost | Status    | Status Date | Magistrate   | Trial Type | Judgment Text          |
| 01/29/2014                        |            | Dismissed | 01/29/2014  | Irons, Carol |            | against Alien Loughry. |

— Bond Information

No Bonds Found.

— Case Event Schedule

| Record | Event Type    | Date/Time              | Room                   | Location | Judge        | Reason Closed        | Text |
|--------|---------------|------------------------|------------------------|----------|--------------|----------------------|------|
| 1      | Court Hearing | 01/29/2014 at 10:00:00 | Magistrate Courtroom 1 | Tucker   | Irons, Carol | Hearing/Event Closed |      |

|                |      |                              |                |               |
|----------------|------|------------------------------|----------------|---------------|
| 1              | Case | Court Security Fund-Civil    | \$5.00         | \$0.00        |
| 2              | Case | Courthouse Improvement Fund  | \$5.00         | \$0.00        |
| 3              | Case | Magistrate Court Fund        | \$10.00        | \$0.00        |
| 4              | Case | Regional Jail Op. Fund Civil | \$20.00        | \$0.00        |
| 5              | Case | Regional Jail-Civil 501-1000 | \$15.00        | \$0.00        |
| 6              | Case | Restricted Delivery          | \$20.00        | \$0.00        |
| <b>Totals:</b> |      |                              | <b>\$75.00</b> | <b>\$0.00</b> |

— Service Documents

| ID   | Name          | Document               | Judge | Produced Date | Signed Date | Status | Recalled/Error/End Date | Service Description |
|--|---------------|------------------------|-------|---------------|-------------|--------|-------------------------|---------------------|
| 13-M47P-000199   | Allen Loughry | Civil Summons - Person |       | 12/04/2013    | 12/04/2013  | Served |                         |                     |
| <p>Service Attempt: 12/05/2013<br/>                     Service Type: Certified Mail - Restricted<br/>                     Officer:<br/>                     Person Served: Allen Loughry<br/>                     Successfully Served: Yes<br/>                     Service Text:</p> |               |                        |       |               |             |        |                         |                     |

— Case Images

| Record | Type                | Image Description | Number of Pages |
|--------|---------------------|-------------------|-----------------|
| 1      | <u>civil filing</u> |                   |                 |
| 2      | <u>service</u>      |                   |                 |
| 3      | <u>judgment</u>     |                   |                 |
| 4      | <u>documents</u>    |                   |                 |
| 5      | <u>answer</u>       |                   |                 |

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 Session Started: 07/17/2018 Last Page Run: 15:37:51 Current User:  
 PAULA\_MCDONALD

IN THE MAGISTRATE COURT OF TUCKER COUNTY COUNTY, WEST VIRGINIA

Name, Address & Phone Number of Plaintiff:

MASTER'S PEST MANAGEMENT, LLC  
110 SHAWNEE DRIVE  
BUCKHANNON, WV 26201  
304-472-1411

Case No. 13-M47C-00170

TUCKER COUNTY MAGISTRATE COURT

DEC 04 2013

Received By: BJG

v.

Name, Address & Phone Number of Defendant

ALLEN LOUGHRY  
28 CRESTVIEW DRIVE  
HAMBLETON, WV 26269  
304-347-9562

---fold here---

---fold here---

**CIVIL COMPLAINT**

The above-named plaintiff or \_\_\_\_\_, on behalf of the plaintiff acting in the capacity of \_\_\_\_\_, alleges the following as true and accurate [give a clear and simple statement of the claim against the defendant(s)]: PLANTIFF PERFORMED A TERMITE TREATMENT AT A PROPERTY THEN OWNED BY DEFENDANT, NAMELY 209 CENTER ST., PARSONS, WV. DEFENDANT HAS REFUSED TO PAY FOR THE WORK DONE. and requests the following relief from the court: PAYMENT OF \$570.00 ~~FOR~~ FOR WORK DONE PLUS COURT COSTS.

*Ray A. Healy*, MEMBER MANAGER  
Signature

12/04/2013  
Date

NOTICE: Any party in a civil action seeking over \$20.00 or possession of real estate has the right to elect that the case be tried by a jury. You must give written notice to the magistrate court either 20 days from when the first timely answer to the complaint is made or 5 days from when service of the summons and complaint is made for unlawful entry and detainer actions. If you do not notify the magistrate court within the appropriate time period, you give up your right to a jury trial. The jury fee will be assessed against the losing party if the case is tried by a jury or may be prorated between the parties if the case is settled before trial.

(OPTIONAL) NOTICE OF ELECTION:  
As plaintiff in the above action, I wish to have a jury trial.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

NOTICE: Any person involved in court proceedings who has a disability and needs special accommodation should inform the court sufficiently in advance so that arrangements can be made if possible.

Master's Pest Management, LLC  
Plaintiff  
v.  
Allen Loughry  
Defendant(s)

Case No. 13-M47C-00170

ANSWER

I, Allen Loughry, as a defendant in the above case answer the allegations in the complaint by

admitting the matters set forth in the complaint and confessing judgment.

or

denying the matters set forth in the complaint  
 admitting in part and denying in part the matters set forth in the complaint

and (if applicable)

- raising defense(s) explained below
- asserting a counterclaim explained below
- asserting a cross-claim explained below

and further state: I deny the plaintiffs claim and request a hearing.

Defendant's signature, address and phone number: Allen Loughry  
28 Chestnut Ave  
Hambilton, WV 26209

Date 12/9/13

NOTICE TO DEFENDANT: One copy of this answer must be filed with the court and one copy must be mailed or delivered by hand to the attorneys for all other parties or to the parties themselves if they are not represented by attorneys.

CERTIFICATE OF SERVICE

I, Allen Loughry, hereby certify that I have served a copy of the above answer on the attorneys for all parties, or if such parties are not represented by attorneys, to the parties themselves on the 9th day of December.

by hand  by first-class mail to:

Name and address of attorneys or parties served: Allen Loughry  
Master Pest Management LLC  
10 Shallow Drive  
Jackman, WV 26201

Signature Allen Loughry Date 12/11/13

- Court File
- Plaintiff
- Defendant

X



IN THE MAGISTRATE COURT OF  
TUCKER COUNTY,  
WEST VIRGINIA

**COPY**

**NOTICE TO APPEAR**

To: **Master's Pest Management, LLC**  
**110 Shawnee Drive**  
**Buckhannon, WV 26201**

Dated: 12-DEC-2013

Re: Case No. 13-M47C-00170 — Master's Pest Management, LLC vs. Loughry  
Defendant: Allen Loughry  
LEO/Plaintiff: Master's Pest Management, LLC

You are hereby notified that a hearing in the above-styled case will be held on 01/29/2014, at 10:00 AM, before Magistrate Carol Irons at the Tucker County Magistrate Court, whose address is:

Tucker County Magistrate Court  
211 First Street, Suite 303  
Parsons, WV 26287  
(304) 478-2866

**Court Hearing**

ADDITIONAL NOTICE TO ALL PARTIES: If any party wishes to request (1) transfer to another magistrate, (2) a continuance (delay), (3) removal of a civil case to circuit court, or (4) any other motion which, if granted, would require rescheduling of the hearing or trial, the party or the party's attorney must do so in writing not less than 10 days before the first date scheduled for such hearing or trial, unless good cause or excusable neglect is shown as to why such request was not made within that time.

The procedures governing motions to transfer to another magistrate are set forth in Rule 1B of the administrative Rules for Magistrate Courts.

FORMS FOR SUCH MOTIONS OR REQUESTS ARE AVAILABLE FROM THE MAGISTRATE COURT.

Mag. Civ. Rules 11, 12; Mag. Crim. Rules 11, 12; Mag. Admin. Rule 1B

X



IN THE MAGISTRATE COURT OF  
TUCKER COUNTY,  
WEST VIRGINIA

**COPY**

**NOTICE TO APPEAR**

To: **Allen Loughry**  
**28 Crestview Drive**  
**Hambleton, WV 26269**

Dated: 12-DEC-2013

Re: **Case No. 13-M47C-00170 — Master's Pest Management, LLC vs. Loughry**  
**Defendant: Allen Loughry**  
**LEO/Plaintiff: Master's Pest Management, LLC**

You are hereby notified that a hearing in the above-styled case will be held on 01/29/2014, at 10:00 AM, before Magistrate Carol Irons at the Tucker County Magistrate Court, whose address is:

**Tucker County Magistrate Court**  
**211 First Street, Suite 303**  
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**(304) 478-2866**

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Mag. Civ. Rules 11, 12; Mag. Crim. Rules 11, 12; Mag. Admin. Rule 1B



IN THE MAGISTRATE COURT OF
TUCKER COUNTY,
WEST VIRGINIA

Name & Address of plaintiff's attorney, if applicable:

Master's Pest Management, LLC
110 Shawnee Drive
Buckhannon, WV 26201
v.
Allen Loughry
28 Crestview Drive
Hambleton, WV 26269

Case No: 13-M47C-00170

CIVIL SUMMONS

\*Certified Mail\*

Allen Loughry as defendant(s) named in the above-styled civil action, you are hereby summoned to appear before or make answer to the Tucker County Magistrate Court at 211 First Street, Suite 303, Parsons, WV 26287 within 20 days from the date you receive service of this summons. If you fail to appear or otherwise answer, judgment by default may be taken against you for the relief demanded in the complaint.

Handwritten signature of Pauline McDonald, Magistrate Court Clerk

12-04-13
Date

NOTICE: Any party in a civil action seeking over \$20.00 or possession of real estate has the right to elect that the case be tried by a jury. You must give written notice to the magistrate court either 20 days from when the first timely answer to the complaint is made or 5 days from when service of the summons and complaint is made for unlawful entry or detainer actions. If you do not notify the magistrate court within the appropriate time period, you give up your right to a jury trial. The jury fee will be assessed against the losing party if the case is tried by jury or may be prorated between the parties if the case is settled before trial.

(OPTIONAL) NOTICE OF ELECTION: As defendant in the above action, I wish to have a jury trial.

Signature \_\_\_\_\_ Date \_\_\_\_\_

NOTICE: Any person involved in court proceedings who has a disability and needs special accommodation should inform the court sufficiently in advance so that arrangements can be made if possible.

SERVICE OF PROCESS

(To be completed ONLY by a process server when the method of service is personal service.)

METHOD OF SERVICE (check one): A. [ ] Defendant was served in person. B. [ ] Defendant was not found. C. [ ] Substituted personal service; the defendant was not found at his/her usual place of abode, so a copy of the summons was delivered and the purpose explained to \_\_\_\_\_, who is a member of the defendant's family above the age of 16.

Service was completed on the \_\_\_\_\_ day of \_\_\_\_\_ by delivery of a true written copy of the Summons together with the Complaint by (check one):

- A. [ ] Certified Mail.
B. [ ] Sheriff's Process Server \_\_\_\_\_ (print name) Signature: \_\_\_\_\_
C. [ ] Private Process Server/Credible Person (print name and address) \_\_\_\_\_

I received \_\_\_\_\_ from the plaintiff for serving the within summons on the defendant.
Signature from private Process Server \_\_\_\_\_ Date \_\_\_\_\_

STATE OF WEST VIRGINIA, COUNTY OF \_\_\_\_\_, TO-WIT:
The foregoing instrument was taken, subscribed and sworn to or affirmed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_
Magistrate Court Personnel or Notary Signature: \_\_\_\_\_ If notary, date commission expires: \_\_\_\_\_

Copy Distribution: [ ] Return [ ] File
[ ] Defendant [ ] Plaintiff

13-06476-001710

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY  |
|--|--|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | <p>A. Signature <input type="checkbox"/> Agent<br/> X <i>Allen A. Couch</i> <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) <i>Allen A. Couch</i> Date of Delivery <i>12-5-02</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/> <input checked="" type="checkbox"/> No<br/> If YES, enter delivery address below:</p>  |
| <p>1. Article Addressed to:</p> <p><i>Allen Laughry</i><br/> <i>28 Crestview Dr</i><br/> <i>Hambleton, WV</i><br/> <i>262169</i></p>   | <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br/> <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise<br/> <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p> |
| <p>2. Article Number<br/> (Transfer from service label)</p>  | <p><i>7012 3050 0000 2115 3273</i></p>   |

7012 3050 0000 2115 3273

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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

|   |                 |
|---|-----------------|
| Postage   | \$ 4.46         |
| Certified Fee                                     | 3.10            |
| Return Receipt Fee<br>(Endorsement Required)      | 2.55            |
| Restricted Delivery Fee<br>(Endorsement Required) | 4.76            |
| <b>Total Postage &amp; Fees</b>                   | <b>\$ 10.87</b> |

Postmark Here: *130402*  
*DEC 04 2002*

Sent To: *Allen Laughry*  
Street, Apt. No., or PO Box No.: *28 Crestview Dr*  
City, State, ZIP+4: *Hambleton, WV 262169*

PS Form 3800, August 2000 See Reverse for Instructions



IN THE MAGISTRATE COURT OF TUCKER COUNTY, WEST VIRGINIA

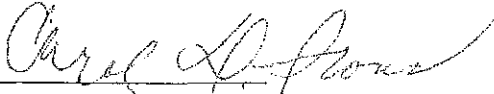
Case ID: 13-M47C-00170 (CI)

Master's Pest Management, LLC vs. Loughry

CIVIL JUDGMENT ORDER

On **January 29, 2014** in the above case the court granted judgment  
Dismissed against **Allen Loughry**.

Hereby **ORDERED** and **ADJUDGED** on this the 29th day of January, 2014.

  
\_\_\_\_\_  
Carol Irons , Magistrate

----- CERTIFICATION BY CLERK (For Court Use Only) -----

Docket Id: 8 / Att ID: 63705

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in  
this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Seal

\_\_\_\_\_  
Magistrate Court Clerk

✓

7

AFFIDAVIT

I, Carol D. Irons, being duly sworn upon her oath, depose and say as follows:

1. My name is Carol D. Irons and I am over the age of eighteen.
2. I previously served two terms as Sheriff of Tucker County, West Virginia ending December 31, 2004.
3. I previously served as a Magistrate for Tucker County, West Virginia from January 1, 2005 until December 31, 2014.
4. I am currently retired as a Magistrate of Tucker County, West Virginia.
5. My duties as a Magistrate included hearing both civil and criminal matters brought before the court as outlined in the West Virginia Code.
6. I was a sitting Magistrate of Tucker County on January 29, 2014.
7. On January 29, 2014, I presided over a hearing held in my courtroom on Case No. 13-M47C-00170 styled Master's Pest Management, LLC v. Allen Loughry.
8. Those attending and present in the Courtroom during the hearing included me, sitting as Magistrate, Phil Neatz on behalf of Master's Pest Management, the defendant Allen Loughry and his son Allen Loughry, II.
9. I personally observed each of these people identified in the courtroom.
10. I knew the defendant's son, Allen Loughry, II was the Chief Justice of the West Virginia Supreme Court at the time of the hearing which I presided over.
11. I rendered a decision of dismissal of the case against Allen Loughery on January 29, 2014.
12. The first I saw of Chief Justice Loughry that day was when he entered the courtroom with his father.
13. ~~There was no meeting that day, January 29, 2014, with magistrates in Tucker County and Chief Justice Loughry, before or after the civil case hearing.~~ C.D.I.
14. I did not have any contact with Chief Justice Loughry regarding this case prior to hearing the case on January 29, 2014