

FILED
09-12-2017
John Barrett
Clerk of Circuit Court
DN1011032
Honorable William
Sosnay-08
Branch 08

STATE OF WISCONSIN : CIRCUIT COURT : MILWAUKEE COUNTY

Robert Yorker
226 E. Chambers
Milwaukee, WI 53212

Plaintiff,

Case Classification Code No. 30405

v.

Inner City Development Project, Inc.
2803 N Teutonia Ave.
Milwaukee, WI 53206

Gathan Cordell Anderson
2048 N 24th Pl.
Milwaukee, WI 53205

Therris L. Campbell
2835 N 46th St.
Milwaukee, WI 53210

Timmy Brown, Jr.
1800 Manhattan Dr.
Waukesha, WI 53186

Select Portfolio Servicing, Inc.
3217 S. Decker Lake Dr.
Salt Lake City, UT 84119

Defendants.

SUMMONS

THE STATE OF WISCONSIN,

To each person named above as a Defendant:

may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is Clerk of Courts, Milwaukee County Courthouse, 901 N. 9th Street, Milwaukee, WI 53233 and to Plaintiff's Counsel, April A.G. Hartman, whose address is 230 W. Wells Street, Room 800, Milwaukee, WI 53203. You may have an attorney help or represent you.

If you do not provide a proper answer within forty-five (45) days, the Court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 12th day of September, 2017 at Milwaukee, Wisconsin.

LEGAL ACTION OF WISCONSIN, INC.
Attorneys for Plaintiff

Electronically signed by April A.G. Hartman

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COMPLAINT

PRELIMINARY STATEMENT

This is a civil action for extinguishment of defendants Inner City Development Project, Inc., Campbell, and Brown's alleged interests in real property located at 2835 N. 46th Street, Milwaukee, Wisconsin and damages arising from those defendants' slander of the plaintiff's title to that property.

PARTIES & VENUE

1. Plaintiff Robert Yorker is the owner of 2835 N. 46th Street in Milwaukee, Wisconsin (hereafter the 46th Street property). At all times relevant to this complaint, Mr. Yorker has resided in Milwaukee County, Wisconsin.

2. Defendant Inner City Development Project, Inc. (ICDP) is a non-stock corporation registered with the Department of Financial Institutions as having a principal office located at 2803 N. Teutonia Ave., Milwaukee, WI 53206.

3. Defendant Gathan Anderson is believed to be a resident of Milwaukee County, Wisconsin. He signed deeds as agent for Inner City Development Project, Inc. purporting to convey the 46th Street property on May 22, 2017 and on June 22, 2017. The deeds were signed in Milwaukee County and recorded with the Milwaukee County Register of Deeds.

4. Defendant Timmy Brown, Jr. is a resident of Waukesha County, Wisconsin. He was the grantee on the May 22, 2017 deed.

5. Defendant Therris Campbell is a Milwaukee County resident, and he may be living in the 46th Street property. He was the grantee on the June 22, 2017 deed.

6. Defendant Select Portfolio Servicing, Inc. is a foreign corporation whose principal business office is in Utah, but Select Portfolio is registered with the Wisconsin Department of Financial Institutions and does significant business in Wisconsin. Its registered agent for service of process is Corporation Service Company, 8040 Excelsior Drive, Suite 400, Madison, WI 53717. Select Portfolio is named as a defendant only because it has a legitimate interest in the property that is the subject of this action, as the servicer of Mr. Yorker's mortgage.

FACTS

7. Robert Yorker purchased the 46th Street property on or about October 2, 2003.

8. Mr. Yorker took out a mortgage to purchase the property, and that mortgage remains as a lien on the property and is serviced by Select Portfolio Servicing, Inc.

9. Mr. Yorker had negotiated a short sale with his lender. The closing was scheduled on or around August 7, 2017. On or about that date, Mr. Yorker learned from the short-sale-title-search company that two quitclaim deeds had been recorded against the property.

10. The first quitclaim deed was recorded on May 26, 2017. (Exhibit P-1) In it, ICDP a/k/a Inner City Development Project, Inc. quitclaims the 46th Street property to Timmy Brown, Jr. The deed was recorded on May 26, 2017. ICDP had no ownership interest in the 46th Street property when it executed this quit claim deed; therefore no interest transferred to Timmy Brown, Jr.

11. Upon information and belief, ICDP and/or Gathan Anderson received \$7000.00 for the "sale" of the 46th Street property.

12. The second quit claim deed was recorded on June 29, 2017. (Exhibit P-2) In it, Inner City Development Project, Inc. quitclaims the 46th Street property to Therris L. Campbell. ICDP had no ownership interest in the 46th Street property when it executed this second quit claim deed; therefore no interest transferred to Therris L. Campbell.

13. Upon information and belief, ICDP and/or Gathan Anderson received another \$7000.00 for the second "sale" of the 46th Street property.

14. Both deeds claim the property is homestead property, and both deeds are signed by Gathan Anderson as ICDP's authorized agent.

15. Mr. Yorker has never donated, sold, gifted or in any way conveyed his interest in

the 46th Street property to ICDP or any other entity since he purchased it in 2003.

16. Because of the deeds drafted and recorded by Gathan Anderson for ICDP, the short sale of Mr. Yorker's property fell through causing actual damages to Mr. Yorker in an amount to be proven at trial.

17. Furthermore, either defendant ICDP, Anderson, Brown, Jr, or Campbell removed from the 46th Street property a central air unit, tools, furniture, mature trees, and possibly other personal property Mr. Yorker was storing there, without Mr. Yorker's consent.

18. The legal description of the 46th Street property is:

Lot Nine (9), Block Twelve (12), in Vernon Heights Continuation, being a Re-Subdivision of Block 9, and Lot 1, Block 8, in Vernon Hieghts and being also a Subdivision of a part of the Northeast One-quarter (1/4) of Section Fourteen (14), Township Seven (7) North, Range Twenty-one (21) East, in the City of Milwaukee, Milwaukee County, Wisconsin.

FIRST CAUSE OF ACTION
Declaration of Interest and Damages

19. The Plaintiff realleges and incorporates paragraphs 1 to 18 herein by reference.

20. Plaintiff asks this court to declare Robert Yorker the sole owner of the 46th Street property, declare the deeds null and void, and extinguish any and all interests defendants ICDP, Timmy Brown, Jr., and Therri Campbell may have had in the property.

SECOND CAUSE OF ACTION
Slander of Title

21. The Plaintiff realleges and incorporates paragraphs 1 to 20 herein by reference.

22. The defendants ICDP, Anderson, Brown, Jr., and Campbell, committed slander of title when they knowingly recorded, or caused to be recorded, false deeds claiming ownership interests in the 46th Street property.

23. As a result of the defendants' slander of title, they are liable for actual damages in

an amount to be proven at trial and punitive damages in the amount of \$1000.00 pursuant to Wis Stat. §706.13(1).

THIRD CAUSE OF ACTION
Trespass/Trespass of personal property

24. The Plaintiff realleges and incorporates paragraphs 1 to 23 herein by reference.

25. The defendants ICDP, Anderson, Brown, Jr., and Campbell, committed trespass when they entered and remained on the 46th Street Property without Mr. Yorker's consent

26. The defendants ICDP, Anderson, Brown, Jr., and Campbell committed trespass against Mr. Yorker's personal property when they removed his air conditioning unit, furniture, tools, mature trees, and other items he was storing there without Mr. Yorker's consent.

27. Defendants ICDP, Anderson, Brown, Jr., and Campbell are liable to the plaintiff for damages in an amount to be proven at trial. Further, the plaintiff seeks punitive damages against defendants ICDP and Anderson.

FOURTH CAUSE OF ACTION
Conversion

28. The Plaintiff realleges and incorporates paragraphs 1 to 27 herein by reference.

29. The defendants ICDP, Anderson, Brown, Jr., and Campbell, converted Mr. Yorker's air conditioning unit, furniture, tools, mature trees, and other items he was storing at the 46th Street property. These items were taken without Mr. Yorker's consent.

30. The defendants' actions seriously interfered with Mr. Yorker's right to possess his property.

31. Defendants ICDP, Anderson, Brown, Jr., and Campbell are liable to the plaintiff for damages in an amount to be proven at trial

REQUEST FOR RELIEF

WHEREFORE, Plaintiff Robert Yorker requests the following relief:

- a. Declaration that Robert Yorker is the sole owner of the 46th Street property;
- b. The extinguishment of any interest defendants ICDP, Timmy Brown, Jr., and Therris Campbell may have had in the 46th Street property;
- c. A declaration that the deeds filed against the 46th Street property by the defendant are null and void;
- d. Damages in an amount to be proven at trial;
- e. Punitive damages for slander of title of \$1000.00;
- f. Punitive damages against defendants ICDP and Anderson, in an amount to be proven at trial;
- g. The costs of this action, including reasonable and actual attorney's fees; and
- h. Such other relief as the court may deem just and proper.

JURY DEMAND

The Plaintiff demands a trial by jury on all issues to which he is entitled.

Dated this 12th day of September, 2017 at Milwaukee, Wisconsin.

LEGAL ACTION OF WISCONSIN, INC.
Attorneys for Plaintiff

Electronically signed by April A.G. Hartman

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