

ROBERT SULLIVANT, SR., PLAINTIFF

V.

CIVIL ACTION NO. 2021-612 (W)

ROBERT SULLIVANT, JR., DEFENDANT

APPLICATION TO THE CLERK FOR ENTRY OF DEFAULT AGAINST THE PLAINTIFF

The Exhibits attached hereto are submitted as evidence pursuant to Miss. Rule. Evid. 201 regarding Judicial Notice, and MRCP 32(a) regarding the use of depositions in court proceedings and are submitted as attachments to the Defendant's Motion for Summary Judgement..

These exhibits include:

1. **"Accounting"**. This exhibit shows the transactions in question, when and how they were transacted, and how the funds were dispersed. (Bates Nos. 001-023).
2. **"Deposition"**. This Exhibit is the Deposition of Mary H. "Evelyn" Stevens, taken on November 15th, 2022. (Bates Nos. 024-132)
3. **"Thomas IME Report"**. This Exhibit is the psychological report of Dr. Brian Thomas, conducted on the Plaintiff, on March 28th, 2022. (Bates Nos. 133-137)
4. **"Plaintiff's Discovery Response"**. This Exhibit includes the Plaintiff's responses to the Defendant's first set of discovery requests. (Bates Nos. 138-145)
5. **"Second Set of Combined Discovery"**. This Exhibit lists the additional discovery requested by the Defendant, which has been ignored by the Plaintiff. (Bates Nos. 146-147)

Respectfully submitted,

Robert Sullivant, Jr.

B

ROBERT SULLIVANT, JR.

robert@steelandbarn.com

1002 CRAWFORD CIRCLE

OXFORD, MS 38655

CERTIFICATE OF SERVICE

I do hereby certify that on November 25, 2022 I have served by hand delivery and/or email a true and correct copy of the above and foregoing document to:

Swayze Alford

1221 Madison Avenue

Oxford, MS 38655

Attorneys for Plaintiff Robert Sullivant, Sr.

Robert Sullivant, Jr., *Pro Se*

Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI
PLAINTIFF

ROBERT SULLIVANT, SR.

CAUSE NO.: 2021-612(W) DEFENDANT

VS.

ROBERT SULLIVANT, JR.

ACCOUNTING

COMES NOW, the Defendant, Robert Sullivant, Jr., hereafter "Jr.," through undersigned counsel, and for his ACCOUNTING required by the Agreed Order dated the 17th day of November, 2021, in this matter, states the following:

1. Certain property was sold in Panola County, Mississippi. The Deed for which is attached as Exhibit "A." That property was property of my mother and because she died intestate and because I am their only child, it became the joint property of myself and my father in equal amounts.
2. That property was sold and the Closing Disclosure for that transaction is attached as Exhibit "B."
3. The check arising from the sale is attached as Exhibit "C."
4. \$230,000.00 of that check was deposited into the Joint Account at Regions Bank that I have with my father.
5. Because we were joint owners of that property, half of that check was my fathers, amounting to \$115,000.00 and the other half was mine.
6. Attached as Exhibit "D," is evidence of my transfer of \$50,000.00 to his T.D. AmeriTrade account.

Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

of \$6,000.00 for the benefit of my father

8. Attached as Exhibit "F," is evidence of my transfer to the joint account of \$5,000.00 for his use.

9. Attached as Exhibit "G," is evidence of the monthly mortgage obligation in the amount of \$937.44 monthly. Because he did not make these payments, I did for the months of August, September, October and November in the amount of \$937.44 each, one half of which should be charged to him, amounting to \$1,874.88.

10. I also paid his Centerpoint Energy gas bills and one half of these expenses should be charged to him, amounting to \$48.89.

11. I also paid his bill to Northeast Power and one half of these expenses should be charged to him, amounting to \$205.50.

12. I also paid his Home Depot Credit Card in the amount of \$200 on September 9 and a subsequent \$200 on October 19.

13. Attached as Exhibit "H," is my payment of his State Farm Insurance premium in the amount of \$435.05.


14. Taking these sums from \$115,000.00 results in \$51,035.70.

15. In terms of accounting for the Schwab account ending in the digits 6369, I have no records of what happened with this account, as it was closed more than five years ago. I do recall that it was closed in March of 2016, and that the funds were split with one portion going into the conservatorship account for my mother and the other half going into my father's T.D. AmeriTrade account. What my father did with the funds that were allocable to him past that point in within his knowledge and control.

Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

16. I further state that the Charles Schwab account ending in account number 1125 was closed on March 14, 2016, and the assets there transferred to the T.D. AmeriTrade account of his father, amounting to cash in the amount of \$182,473.00 and 967 QQQ shares. What my father did with these funds once they went into his individual T.D. AmeriTrade account is within the control and power of my father.

THEREFORE, having accounted for the proceeds arising out of the sale of the Panola County property, as required by this Court's recent Order, Robert Sullivant, Jr. asks that this Court accept this accounting and discharge him from any further responsibility arising out of that Order. Robert Sullivant, Jr. asks for such other relief as this Court may find merited under the circumstances.

92 day of December, 2021.

ROBERT SULLIVANT, JR., DEFENDANT

Respectfully submitted, this the
December, 2021 .



Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

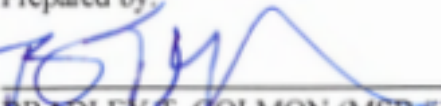
STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

I, Robert Sullivant, Jr., Defendant, after having been duly sworn, verify that to the best of my knowledge, information and believe, the matters set forth in the foregoing Accounting are true and correct.

Respectfully submitted, this the 9th day of December, 2021.


ROBERT SULLIVANT, JR.
I, the undersigned, do hereby certify that I am a Notary Public in and for the State of Mississippi, and that I am duly qualified to perform the duties and functions of my office.
WITNESSE MY HAND AND SEAL, this the 9th day of December, 2021.

NOTARY PUBLIC

Prepared by:

BRADLEY T. GOLMON (MSB#1

Prepared by: **G /**
OLMON (MSBII10i6I)
Counsel for Defendant, Robert Sullivant, Jr.

HOLCOMB, DUNBAR, W A TIS, BEST,
MASTERS & GOLMON, P.A.
400 Enterprise Drive
Post Office Drawer 707
Oxford, MS 38655
Telephone (662) 234-8772
Facsimile (662) 238-7552


Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

CERTIFICATE OF SERVICE

I, BRADLEY T. GOLMON, do hereby certify that a copy of the foregoing document has been mailed, postage prepaid, to the following:

Swayze Alford, Esq. (MSB #8642)
Kayla Ware, Esq. (MSB #104241)
Post Office Drawer 1820
Oxford, Mississippi 38655
(662) 234-2025 phone
(662) 234-2198 facsimile

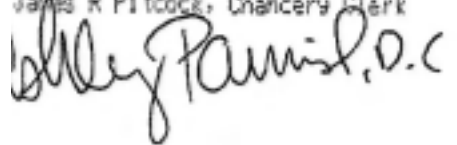
 day THIS, the **T** y of December, 2021.


BRADLEY T. GOLMON

Sullivant Sr. v. Sullivant Jr.
Exhibits for SJ Motion

Book 2021 Page 2176
Deed
05/05/2021 09:56:32 AM
Panola County, MS-2nd
James R Pitcock, Chancery Clerk

Panola County, MS-2nd
I certify this instrument was file
on 05/05/2021 09:56:32 AM
and recorded in the
Deed
Book 2021 Page 2176 - 2178
James R Pitcock, Chancery Clerk



GRANTORS:

ROBERT SULLIVANT SR. ROBERT

SULLIVANT JR. ¹Bf&5

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(.f;IQ) -Tlg.ql:{{f

GRANTEE:

JENNIFER CARR  
7032 Pope Water Valley Rd. Pope, MS  
38658  
(901) 515-7348

ION 28, TOWNSHIP 10

0ths (\$10.00) Dollars, this  
e receipt and sufficiency of

Indexing: A PART OF THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 10 SOUTH,  
RANGE 6 WEST

**PREPARED BY & RETURN TO:**

**BAILEY WOMBLE & YELTON**  
**JAMES ANDREW YELTON/MSB#1 0800**  
**P. O. Box 1615**  
**Batesville, MS 38606**  
**(662) 563-4508**

STATE OF MISSISSIPPI

COUNTY OF PANOLA

FOR AND IN CONSIDERATION of the sum of Ten and No/ 100ths (\$10.00) Dollars, this  
day, cash in hand paid, and for other good and valuable consideration, the receipt and sufficiency of

006

Sullivant Sr. v. Sullivant Jr. Exhibits for  
SJ Motion

which is hereby acknowledged, WE, **ROBERT SULLIVANT SR. and ROBERT SULLIVANT**

**JR.**, do hereby grant, bargain, sell, convey and warrant unto, **JENNIFER CARR**, the following described property located in the Second Judicial District of Panola County, Mississippi, to-wit:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 6 WEST, PANOLA COUNTY, MISSISSIPPI, RUN THENCE SOUTH FOR A DISTANCE OF 1856.33 FEET; RUN THENCE EAST FOR A DISTANCE OF 5286.35 FEET TO THE POINT OF BEGINNING, RUN THENCE WEST FOR A DISTANCE OF 1461.51 FEET TO THE CENTER OF A DITCH; RUN THENCE N 44° 44'48" E ALONG SAID DITCH FOR A DISTANCE OF 202.02 FEET TO A FENCE LINE; RUN THENCE NORTH ALONG SAID FENCE FOR A DISTANCE OF 1669.46 FEET TO THE SOUTH RIGHT-OF-WAY OF POPE-SHUFORD ROAD; RUN THENCE S 89°33' 12" E ALONG SAID RIGHT-OF-WAY FOR A DISTANCE OF 1320.00 FEET; RUN THENCE S 00°01'16" W FOR A DISTANCE OF 1802.65 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 6 WEST, PANOLA COUNTY, MISSISSIPPI AND CONTAINING 55.00 ACRES.

Said property being Tract 1 in Deed of record in Book W-9 at Page 1.

Grantors certify that they are single.

Subject to all public and private road rights-of-way and public utility easements, recorded and unrecorded. Also subject to the Ordinances of Panola County, Mississippi, including Subdivision, Zoning and Building.

Taxes and assessments on said property for the year 2021 were pro-rated as of the date of this instruments and Grantee assumes the responsibility to pay the same when they become due and payable.

which is hereby acknowledged, WE, **ROBERT SULLIVANT SR. and ROBERT SULLIVANT JR.**, do hereby grant, bargain, sell, convey and warrant unto, **JENNIFER CARR**, the following described property located in the Second Judicial District of Panola County, Mississippi, to-wit:

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Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

007  
Book 2021 Page 217t; Deed - C)  
0-5/05/2021 10:16:32 AM

..-

WITNESS OUR SIGNATURES, this the \_\_, )\_\_ day of May, 2021.

STATE OF MISSISSIPPI

COUNTY OF PANOLA

THIS DAY personally appeared before me, the undersigned authority within and for the said county and state, on this the !: day of May, 2021, within my jurisdiction, the within named

ROBERT SULLIVANT SR. and ROBERT SULLIVANT JR., who acknowledged that they executed the above and foregoing instrument.

SWORN TO AND SUBSCRIBED before me

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\ ...: •• Oct. 2, 2021 •• - / •••••  
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008  
day of May, 2021.

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

**Closing Disclosure**

Closing Information Transaction Information 4/5/2021  
Date Issued Borrower Jennifer Carr  
Closing Date 5/5/2021  
Disbursement Date Settlement Agent File\* Bailey & Womble Law Firm Seller Robert Sullivan Sr & Robert Sullivant Jr Carr, Jennifer (RE)  
Property 7032 Pope Water Valley Rd  
Sllit Price Pope, MS 38658  
5/512021

| Summaries of Transactions                                                        |                       |               |
|----------------------------------------------------------------------------------|-----------------------|---------------|
| <b>SELLER'S TRANSACTION</b>                                                      |                       |               |
| M. Due to Seller at Closing                                                      |                       | \$254,000.00  |
| 01 Sale Price of Property                                                        |                       | \$254,000.00  |
| 02 Sale Price of Any Personal Property Included in Sale                          |                       |               |
| 03                                                                               |                       |               |
| 04                                                                               |                       |               |
| 05                                                                               |                       |               |
| 06                                                                               |                       |               |
| 07                                                                               |                       |               |
| 08                                                                               |                       |               |
| <b>Adjustments for Items Paid by Seller in Advance</b>                           |                       |               |
| 09 City/Town Taxes                                                               | to                    | \$ 0.00       |
| 10 County Taxes                                                                  | to                    | \$ 0.00       |
| 11 Assessments                                                                   | to                    | \$ 0.00       |
| 12 <input type="checkbox"/> to                                                   |                       | \$ 0.00       |
| 13                                                                               |                       |               |
| 14                                                                               |                       |               |
| 15                                                                               |                       |               |
| 16                                                                               |                       |               |
| N. Due from Seller at Closing                                                    |                       | \$15,727.43   |
| 01 Excess Deposit                                                                |                       |               |
| 02 Closing Costs Paid at Closing (J)                                             |                       | \$15,547.00   |
| 03 Existing Loan(s) Assumed or Taken Subject to                                  |                       |               |
| 04 Payoff of First Mortgage Loan                                                 |                       |               |
| 05 Payoff of Second Mortgage Loan                                                |                       |               |
| 06                                                                               |                       |               |
| 07                                                                               |                       |               |
| 08 Seller Credit                                                                 |                       | \$ 0.00       |
| 09                                                                               |                       |               |
| 10                                                                               |                       |               |
| 11                                                                               |                       |               |
| 12                                                                               |                       |               |
| 13                                                                               |                       |               |
| <b>Adjustments for Items Unpaid by Seller</b>                                    |                       |               |
| 14 City/Town Taxes                                                               | to                    | \$ 0.00       |
| 15 County Taxes                                                                  | 1/1/2021 to 1/31/2021 | \$188.43      |
| 16 Assessments                                                                   | to                    | \$ 0.00       |
| 17 <input type="checkbox"/> to                                                   |                       | \$ 0.00       |
| 18                                                                               |                       |               |
| 19                                                                               |                       |               |
| <b>CALCULATION</b>                                                               |                       |               |
| Total Due to Seller at Closing (M)                                               |                       | \$254,000.00  |
| Total Due from Seller at Closing (N)                                             |                       | (\$15,727.43) |
| Cash <input type="checkbox"/> From <input checked="" type="checkbox"/> To Seller |                       | \$238,272.57  |

| Contact Information           |                                               |
|-------------------------------|-----------------------------------------------|
| <b>REAL ESTATE BROKER (B)</b> |                                               |
| Name                          | Kessinger Real Estate                         |
| Address                       | 2901 Old Taylor Road<br>Oxford, MS 38855      |
| License ID                    | S-30863                                       |
| Contact                       | McKenzie Darnell                              |
| Contact License ID            |                                               |
| Email                         | McKenzieDarnell@gmail.com                     |
| Phone                         | (662) 234-5555                                |
| <b>REAL ESTATE BROKER (S)</b> |                                               |
| Name                          | Tom Smith Land & Homes                        |
| Address                       | 601 Crescent Blvd, 103<br>Ridgeland, MS 39167 |
| License ID                    | 19544                                         |
| Contact                       | Michael Dewart                                |
| Contact License ID            |                                               |
| Email                         |                                               |
| Phone                         | (662) 268-6333                                |
| <b>SETTLEMENT AGENT</b>       |                                               |
| Name                          | Bailey & Womble Law Firm                      |
| Address                       | 357 Highway 51 North<br>Batesville, MS 38605  |
| License ID                    | 5007                                          |
| Contact                       | James A Yelton                                |
| Contact License ID            | 16600                                         |
| Email                         | andy@panola.com                               |
| Phone                         | (662) 563-4508                                |

**?** Questions? If you have questions about the loan terms or costs on this form, use the contact information above. To get more information or make a complaint, contact the Consumer Financial Protection Bureau at [www.consumerfinance.gov/mortgage-closing](http://www.consumerfinance.gov/mortgage-closing)

CLOSING DISCLOSURE

PAGE 1 OF 2  
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11  
12  
13  
Adjustments for Items Unpaid by Seller  
14 City/Town Taxes to \$ 0.00 15 County Tax ..  
1/1/2021 to 1/31/2021  
16 Assessment to \$ 0.00 17  to \$ 0.00 18  
19  
CALCULATION  
Total Due to Seller at Closing (M) \$254,000.00 Total  
Due from Seller at Closing (N) (\$15,727.43) Cash   
From  To Seller \$238,272.57

**?**

009  
andy@panola.com  
(662) 563-4508

Questions? If you have questions about the loan terms or costs on this form, use the contact information above. To get more information or make a complaint, contact the Consumer Financial Protection Bureau at [www.consumerfinance.gov/mortgage-closing](http://www.consumerfinance.gov/mortgage-closing)

CLOSING DISCLOSURE  
Email

# Sullivant Sr. v. Sullivant Jr. Exhibits for SJ Motion

## Closing Cost Details

OS TIUB Owners tiUa Insurance optonal) to Security TIUe  
 06  
 07  
 08  
 09  
 10  
 11

### Loan Costs

#### A. Origination Charge

01 1.3% of Loan Amount (PolniS)

#### 02 Processin FH

03 UndelWriU Fee

04

Stflor;>aid

05

At Closing Betcre Clooing

06

07

09

#### B. ~~.....~~

#### 01 Appraial FH

02 Cred- Monltori Sell'loe

03 CredU Report

#### 04 Flood Determination

05 FIOod Ufo of Loan

#### 06 Life of icwan Tax

07 TaxCtrillallon

08

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10

.....7.....

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03

04

#### 05 TIUe Lendefl TKle Insurance to Securi Trtle

06

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### Other Costs II

#### E. TIUea and Othtr Govtmant F.....

01 Reoordino Feeo oeed: \$28.00 Mortoaae: \$41.00

#### 02 TransrerTax to: ..... F. Prepaids

01 Homeowner's Insurance Premium ( mo. to:

02 MCif1gaga Insurance Premium ( mo.) \o:

03 Prepaid Interest per day from 10

04 Probet1Y Taxes mo. to:

05

#### G. Initial Escrow Pa-ment at Closrna

01 Homeowner's Insurance per month for mo.

02 Mon-----aiae Insurance per month for mo.

03 Prccertv Taxes per month for mo.

04 per month for mo.

05 per month for mo.

00 per month fo< mo.

07

08

AQOreyale Adjustment

H. Other

01 Real Estate Commission \$7,820.00 to: Kc3silioe1Real Estate

02 Real Estate Commission \$7,820.00 to: Tom Smith Home and Land \$7,620.00

03 Termite Report to Pns Termite \$107.00

04 Ooed Preparation to Bailey & Womble Law Firm \$200.00

05

06

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08

09

10

11

J. TOTAL CLOSING CLOSTS .....CS1<sup>III</sup>SC:5:47:0.0=orl---=-, -o:0.0\*\*o |

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Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

CERTIFICATION





I have carefully reviewed this Closing Disclosure and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the Closing Disclosure form.

To the best of my knowledge the Closing Disclosure which I have prepared is true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ Date

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

g ThorpeForms.com

MEMO - Jennifer: Carr. - RE (Loan Prot: eeds)

00' B 9It









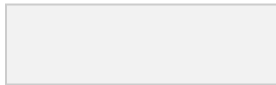
Costco Anywhere Visa® Card by Citi-5139

**Current Balance**

**8,763.50**

\$

Available Revolving Credit \$10,691.60 Statement closing Nov 22



Transactions

Statement closed Jul 22, 2021 **Posted Total -\$1,339.64**

**Last Statement Balance**

**8,289.33**

\$

Minimum Payment Due \$188.21

Payment due Nov 20

**Costco Cash Rewards Balance (Year to Date) \$ 248.05 014**

<https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d> 1/6

**Sullivant Sr. v. Sullivant Jr.**

11/11/21, 5:26 PM Account Information – Citi Online

**Exhibits for SJ Motion**

Date Cardmember Description Amount

Jul 22, 2021 ROBERT B SULLIVANT

Jul 21, 2021 ROBERT SULLIVANT

Jul 19, 2021 ROBERT B SULLIVANT

Jul 16, 2021 ROBERT B SULLIVANT

Jul 14, 2021 ROBERT B SULLIVANT

Jul 13, 2021 ROBERT B SULLIVANT

Jul 12, 2021 ROBERT B SULLIVANT

Jul 12, 2021 ROBERT B SULLIVANT

INTEREST CHARGED TO STANDARD PURCH COSTCO WHSE #0352 CORDOVA TN

WAL-MART #0699 OXFORD MS



WM SUPERCENTER #699 OXFORD MS WM SUPERCENTER #699 OXFORD MS WM

SUPERCENTER #699 OXFORD MS MURPHY6789ATWALMART BATESVILLE MS

WM SUPERCENTER #1468 BATESVILLE MS 015

\$104.07 \$99.51 \$115.08 \$10.89 \$25.23 \$23.44 \$28.65 \$6.26

<https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d> 2/6

**Sullivant Sr. v. Sullivant Jr.**

11/11/21, 5:26 PM Account Information – Citi Online

~~Exhibits for SJ Motion~~

Date Cardmember Description Amount

Jul 12, 2021 ROBERT B SULLIVANT

Jul 10, 2021 ROBERT B SULLIVANT

Jul 09, 2021 ROBERT B SULLIVANT

Jul 09, 2021 ROBERT B SULLIVANT

Jul 09, 2021 ROBERT B SULLIVANT

Jul 09, 2021 ROBERT B SULLIVANT

Jul 09, 2021 ROBERT B SULLIVANT

Jul 08, 2021 ROBERT B SULLIVANT  
WM SUPERCENTER #699 OXFORD MS

WAL-MART #0699 OXFORD MS

AUTOPAY 191023041527247RAUTOPAY AUTO-PMT 1070921 AUTOPAY RTN

R01-INSUFFICIENT FUN STRAIGHTTALK\*SERVICES 877-430-2355 FL FAM RWRDS

8773782158 877-3782158 MN RETURN CHECK FEE - 070921

ELMCROFT SENIOR LIVING LAKE OSWEGO OR 046

\$45.48

\$140.33 -\$209.83 \$209.83 \$17.28

\$19.95

\$29.00

\$3,274.84

<https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d> 3/6

Sullivant Sr. v. Sullivant Jr.

11/11/21, 5:26 PM Account Information – Citi Online

~~Exhibits for SJ Motion~~

Date Cardmember Description Amount

Jul 07, 2021 ROBERT B SULLIVANT

Jul 06, 2021 ROBERT B SULLIVANT

Jul 06, 2021 ROBERT B SULLIVANT

Jul 06, 2021 ROBERT B SULLIVANT

Jul 04, 2021 ROBERT SULLIVANT

Jul 03, 2021 ROBERT B SULLIVANT

Jul 02, 2021 ROBERT B SULLIVANT

Jul 02, 2021 ROBERT SULLIVANT

MCAFEE \*WWW.MCAFEE.COM 866-622-3911 TX ONLINE PAYMENT, THANK YOU

WAL-MART #1468 BATESVILLE MS

MURPHY6789ATWALMART BATESVILLE MS KROGER FUEL #5473 OXFORD MS

WM SUPERCENTER #699 OXFORD MS DPI 8447073780 844-7073780 MN

MY OXFORD STORAGE 662-513-0199 MS 017

\$128.39

-\$6,000.00 \$20.31

\$24.07

\$49.50

\$24.34

\$24.95

\$120.00

<https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d> 4/6

Sullivant Sr. v. Sullivant Jr.

11/11/21, 5:26 PM Account Information – Citi Online

~~Exhibits for SJ Motion~~

Date Cardmember Description Amount

Jul 02, 2021 ROBERT SULLIVANT

Jul 01, 2021 ROBERT B SULLIVANT

Jun 29, 2021 ROBERT B SULLIVANT

Jun 29, 2021 ROBERT B SULLIVANT

Jun 27, 2021 ROBERT B SULLIVANT

Jun 27, 2021 ROBERT B SULLIVANT

Jun 24, 2021 ROBERT B SULLIVANT

Jun 24, 2021 ROBERT B SULLIVANT

GOOGLE \*YouTube TV 855-836-3987 CA MURPHY6789ATWALMART BATESVILLE

MS MURPHY7566ATWALMART OXFORD MS C SPIRE RECURRING PAY

WM SUPERCENTER #699 OXFORD MS MURPHY7566ATWALMART OXFORD MS WM

SUPERCENTER #699 OXFORD MS

048

\$69.54 \$19.62 \$33.39 \$41.00 \$22.00 \$15.37 \$27.29 \$28.11

<https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d> 5/6

**Sullivant Sr. v. Sullivant Jr.**

11/11/21, 5:26 PM Account Information – Citi Online

**Exhibits for SJ Motion**

Date Cardmember Description Amount

Jun 22, 2021 ROBERT B SULLIVANT

Jun 22, 2021 ROBERT SULLIVANT

SQ \*COLEMAN'S BARBQ, LLC Senatobia MS KROGER FUEL #5473 OXFORD MS

\$20.68 \$51.79

End of activity Total activity Statement closed Jul 22, 2021 -\$1,339.64 Pending

purchases \$0.00

Purchases \$4,527.29

Cash advances \$0.00

Payments/credits -\$6,000.00

Fees/interest \$133.07

019

https://online.citi.com/US/ag/accountdetails?accountId=a1bef9a2-2bac-4887-b669-bd4e2254144d 6/6

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

11/15/21, 2:43 PM Details & History - View Account Details & History - Regions Online Banking **Personal**

### ROBERT B SULLIVANT JR \*7217

Available Balance

\$7,876.39

(late Range)

59,940.05

NOT OFFERS  
L  
E-SYJIPIS S-JCII

### Activity Statements & Docs

Search for Transactions

Find posted transactions using any or all of the following options:

From: To:

Close  
X

90 day custom range ( 07106/2021 | **El** \_\_\_\_\_ ( 1 013/20: 1 \_  
\_ j

"Note up to 18 months of transaction history can be searched using 90 day increments

Types

Transfer

Amount Range

Any amount j

Check Numbers

All ( \_\_\_\_\_ )

Reset

### Posted Activity

Date Type Description

7/6/20L 1 Tnmsfer EB TO CHECKING# \*\*\*8739

f " J Send holiday funds with J Regions Gift Card or Western Union money transfer. Find a branch

https://onlinebanking.regions.com/accounts/details/1

### Pending Activity

Status Type Description

No transaction history records were found.

Amount

-\$5,000.00

020

Sullivant Sr. v. Sullivant Jr.

Exhibits for SJ Motion

PHH Mortgage SeNices P.O. Box 5452

**MORTGAGE** Mt. Laurel, NJ 08054-5452 **Your monthly**

**mortgage statement**

To obtain information about your account: Visit:  
[www.MortgageQuestions.com](http://www.MortgageQuestions.com) Call toll free: 1-800-449-8767  
Email us: [CustomerCare@mortgagefamily.com](mailto:CustomerCare@mortgagefamily.com) Fax: 1-856-917-8300

0001169 02 MB 0.482 .. AUTO T7 0 3498 38655-091 111 -C05-P01169-1 45 RE90 PHI 1111

111111-111.11-01-111 t|■■■■■■■|■■■■|■■|■■■■■■■|■■|■■■■

ROBERT BURNETT SULLIVANT SR  
PO BOX 911  
OXFORD. MS 38655- 0 91 1

Loan number:

**Statement Date: 10/5/2021**

|                                         |               |
|-----------------------------------------|---------------|
|                                         | Maturity Date |
| Outstanding Balance (not payoff amount) |               |
| Current Interest Rate                   |               |
| Prepayment Penalty                      |               |
| Escrow Balance                          |               |
| Suspense Balance                        |               |

Property Address

separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage. Please note that this is not the payoff quote and any amount less than the payoff quote will be returned. Please contact us for payoff quote.

09/17 Payment Reversal  
 09/17 Payment Reversal  
 09117 Payment Reversal  
 09120 Returned Item  
 09121 09/09 Payment  
 09/21 08/09 Payment  
 09121 09108 Payment  
 10/04 Assessed Expense • INSPECTION FEE 10/05  
 10/05 Payment  
 09120 0000 Return Item Waived

-\$317.21 \$0.00 \$937.44 \$0.00 -\$317.21 \$0.00 \$937.44  
 \$0.00 -\$258.52 \$0.00 \$878.75 \$0.00  
 \$0.00 \$0.00 -\$878.75 \$0.00 \$0.00 \$0.00 \$878.75 \$0.00  
 \$317.21 \$0.00 -\$937.44 \$0.00 \$317.21 \$0.00 -\$937.44  
 \$0.00 \$0.00 \$0.00 \$15.00 \$0.00 \$317.21 \$0.00 \$0.00  
 \$0.00 \$0.00 \$0.00

-\$219.09 -\$401.14 -\$218.43 -\$401.80 -\$217.77  
 -\$402.46 \$0.00 \$0.00  
 \$0.00 \$0.00  
 \$217.77 \$402.46 \$218.43 \$401.80 \$0.00 \$0.00  
 \$219.09 \$401.14

**Payment Due Date: 11/1/2021**  
**Amount Due: \$1,889.88**

*If payment is received after 11/16/2021, a \$24.80 late fee may be charged.*

1002 CRAWFORD CIR OXFORD, MS  
 38655  
 \$132,572.67

Principal \$220.41 Interest \$399.82  
 Escrow (Taxes and/or Insurance) \$317.21  
 Optional Products/Other \$0.00 Regular  
 Monthly Payment \$937.44  
 Total New Fees and Charges \$0.00  
 Outstanding Unpaid Late Charges,  
 Returned Item Charges, Shortages  
 and Other Fees \$0.00 Assessed  
 Expenses \$15.00 Past Due Payment(s)  
 \$937.44 Total Amount Due \$1,889.88

\$0.00  
 \$0.00  
 \$0.00  
 \$0.00  
 \$878.75 \$0.00  
 \$0.00  
 \$0.00  
 \$937.44

3.625090  
 No  
 \$1,931.20  
 \$878.75  
 05/01/2050

You are currently due for the 10-1-2021 payment. Your last full payment was applied to the payment due 9-1-2021.  
 \*Partial Payments: Any partial payments that you make are not applied to your mortgage, but instead are held in a

021

**Sullivant Sr. v. Sullivant Jr.**  
**Exhibits for SJ Motion**

State Farm Mutual Automobile Insurance Company  
 PO Box 89000  
 Atlanta GA 30356-9900

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A

AT2 002337 0008 A-180E SULLIVANT,  
 ROBERT B &  
 SULLIVANT SR, ROBERT  
 1002 CRAWFORD CIR  
 OXFORD MS 38655-6107

Policy Number: - -  
 Policy Period: November 23, 2021 to May 23, 2022

Vehicle :  
 2015 BUICK LACROSSE



Principal Driver:  
ROBERT B SULLIVANT



0

Statefarm;

## AUTO RENEWAL

**PREMIUM PAID: \$435.05**

Your premium is billed through the State Farm Payment  
Plan State Farm Payment Plan Number:

Your State Farm Agent

WILL POOLE

Office: 662-234-7574

Address 1601 JACKSON AVE W  
OXFORD, MS 38655425~

If you have a new or different car, have added any drivers, or  
have moved, please contact your agent.

Thank you for choosing State Farm.

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund

Policy Number 311 8580-E23-24  
Prepared October 13, 2021  
1004583

7'-. ~/  
!

# Get your discount with Drive Safe & Save

Get a discount just for enrolling. From there, how you drive determines how much you save.

If you haven't already, download the app and enroll. Text **SAVE to 78836** or contact your agent, WILL POOLE, at 662-234-7574.

f P1!

## Sullivant Sr. v. Sullivant Jr. Exhibits for SJ Motion

, · -cR,,

@J~S ateFarn

022

transfer. funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

Page number 1 of 4

Review your policy information carefully. If anything is incorrect, or if there are any changes to your vehicle information, please let us know right away.

| Vehicle Description                                           | Vehicle Identification               | vehicle normally used?                                               |
|---------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------|
| Number (VIN) Who principally drives this vehicle? How is this |                                      |                                                                      |
| 2015 BUICK LACROSSE 1G4GB5G31 FF114547                        | ROBERT SULLIVANT, a single male, who | To Work, School or Pleasure. will be age 55 as of November 23, 202 1 |

Other Household Vehicle(s)  
Your premium may be influenced by other State Farm policies that currently insure the following vehicle(s) in your household:

2016 TOYOTA 4 RUNNER

The following driver(s) are assigned to the vehicle(s) on this policy.

The premium for this renewal was determined using an annual mileage this vehicle is expected to be driven that was developed from information we obtained or was provided by you. The national average is more than 12,000 miles driven annually according to the U.S. Department of Transportation. Please contact us if you expect your annual mileage to change over the next year.

**Premium Adjustment**

Each year, we review our medical payments and personal injury protection coverages claim experience to determine the vehicle safety discount that is applied to each make and model. In addition, we review the comprehensive, collision, bodily injury and property damage claim experience annually to determine which makes and models have earned decreases or increases from State Farm's standard rates. If any changes result from our reviews, adjustments are reflected in the rates shown on this renewal notice.

**Assigned Driver(s)**

Age as of Marital November 23, 2021  
Gender Status

Name

ROBERT SULLIVANT SR 88 Male Single

----- ROBERT B SULLIVANT 55 Male Single

**Principal Driver & Assigned Drivers**

For each automobile, the Principal Driver is the individual who most frequently drives it.

Each driver is designated as an Assigned Driver on the household automobile that they most frequently drive. Your

110 • R 1 NOT(">= R

State Farm works hard to offer you the best combination of price, service, and protection. The amount you pay for automobile insurance is determined by many factors such

**023**

premium may be influenced by the information shown for these drivers.

Policy Number 311 8580-E23-24  
Prepared October 13, 2021

(continued on next page)

1       IN THE CHANCERY COURT OF LAFAYETTE COUNTY,  
MISSISSIPPI 2

3

4       ROBERT SULLIVANT, SR.,

5                       Plaintiff,

6       vs.

Cause No. 2021-612 (W)

7

ROBERT SULLIVANT, JR.,

8

Defendant.

9

10

11

Deposition of

12

MARY H. "EVELYN" STEVENS

13

November 15, 2022

14

15

[Appearances Noted Herein]

16

17

        Taken at Courtroom 1 of Lafayette Chancery  
Courthouse 18                       300 N. Lamar, Oxford,  
Mississippi                       Tuesday, November 15, 2022, at  
8:55 a.m. 19

20

21

22                       REPORTED BY: Teresa B. Henry, CCR  
1205                                       Glenn-Henry  
Reporting 23                                       400 Peg Lane  
                                                  Amory, Mississippi  
38821 24                                       662-315-2175

teresabh@bellsouth.net 25

1

2     Appearances:

3

4

5

6             Honorable Swayze

Alford   7             Post Office Box

1820

8             Oxford, Mississippi 38655

9

salford@swayzealfordlaw.com 10

11            REPRESENTING

Plaintiff 12

13

14            Robert Sullivant, Jr., pro

se 15            1002 Crawford Circle

16            Oxford, Mississippi

38655 17

rsullivantjr@gmail.com 18

19            REPRESENTING

Defendant 20

21

22

23     Also present:

24

25     Robert Sullivant, Sr.

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

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86 026

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 STIPULATION

2 It is stipulated by and between the parties  
that 3 the deposition of Mary H. "Evelyn" Stevens is  
being 4 taken pursuant to notice under the  
Mississippi Rules of 5 Discovery.

6 All objections, except to the form of  
the 7 question, are reserved until such time  
as the 8 deposition, or any part thereof, is  
sought to be 9 introduced into evidence.

10 All formalities, excluding the reading and  
11 signing of the deposition by the deponent, are  
waived. 12

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027

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1

MARY H. "EVELYN" STEVENS

2 having been first duly sworn, was examined under  
oath 3 and testified as follows:

4

BY MR. SULLIVANT:

All 5

right. Just jump on

in? 6

BY MR. ALFORD:

Well, 7

typically

depositions are 8

taken

pursuant to the Rules of 9

Civil Procedure, meaning that 10

all objections other than to 11

the form of the question are 12

reserved until such time as 13

they might be presented at 14

trial.

15

BY MR. SULLIVANT:

Okay. 16

BY MR.

ALFORD: So I 17

propose

that we stipulate to 18

that.

19

BY MR. SULLIVANT: I

20

agree. I would like to

make a 21

proposal, too, or a



22 stipulation. Since my  
father 23 and I have the same  
last name, 24 Mr. Sullivant,  
Senior, and I 25 am  
Sullivant, Junior, and as

028

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 we are referring to each 2  
other's name, could we use 3  
Senior and Junior, just to 4  
make it clear who we are 5  
speaking of so we are not 6  
getting confused for the 7  
court reporter or when 8  
referring back to Senior or to 9  
Junior, could we use those 10  
terms?

11 BY MR. ALFORD: Well, I  
12 want it to be clear obviously  
13 but I think Evelyn refers to  
14 him as Mr. Bob when she's 15  
talking about your dad. 16

BY MR. SULLIVANT: That 17  
will be fine with me. 18

BY MR. ALFORD: That 19  
good with you?

20 A. [Witness nods head up and down.] 21

BY MR. ALFORD: You need 22

to answer out loud. I know 23

we just talked -- 24 A. Yes, that's  
good with me.

25 BY MR. ALFORD: She's

029

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 not going to be looking  
at 2 you when you are  
nodding your 3 head or  
shaking your head, -- 4 A. Okay.

5 BY MR. ALFORD: --  
okay? 6 A. Okay.

7 BY MR. SULLIVANT:  
Okay. 8

9 So I will begin.

10

11 EXAMINATION BY MR. SULLIVANT:

12 Q. All right. First question, when did you  
start 13 working as a sitter for Senior? About what  
time was 14 that?

15 A. I'm not really sure but I believe it  
was 16 around May or June of '18, but I'm not  
exactly 17 positive.

18 Q. Okay. What was your job description? 19

A. To cook and clean and take Mr. Bob to the 20  
doctors' visits or where he needed to go. 21 Q.

Okay. What are some examples of places where 22 he  
needed to go?

23 A. Doctors' offices, Wal-Mart, Home Depot.

24 Q. Okay. Where did this take place at?

25 A. Sometime in Oxford, sometime in  
Batesville.

030

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 Q. When did -- when you began working, where  
was 2 it -- where was this work occurring --

3 A. At --

4 Q. -- at the very beginning?

5 A. At 106 Crawford Circle.

6 Q. Okay.

7 A. Oxford.

8 Q. While working at the Crawford house, at  
least 9 the first time when you worked there, and you  
mentioned 10 you took places -- you took him where he  
needed to go, 11 did y'all go on any, like, just joy  
rides? 12

BY MR. ALFORD:

Object to the 13 form.

14 A. Well, we went to the farm a lot. 15

Q. [Mr. Sullivant] Okay. Did y'all just drive  
16 around, say, Enid Lake or anyplace like that just  
for 17 the heck of it?

18 A. Well, we might've went by Chickasaw on the  
way 19 to Pope to look at the water.

20 Q. Okay. At that time who did you report  
to in 21 your capacity?

22 A. Ah, you.

23 Q. Okay. Who determined your  
schedule? 24 A. You.

25 Q. Okay. How were you paid?

031

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 A. Paypal.

2 Q. Okay. Could you describe that a little  
bit 3 more?

4 A. I made \$15.00 an hour.

5 Q. Okay. When you said Paypal, how did that  
work 6 exactly?

7 A. You paid me, ah, through Paypal.

8 Q. Okay. Good enough. So, you said how much  
you 9 made. Did you declare these amounts that I  
paid you 10 through Paypal, did you declare them as  
income on your 11 income taxes?

12 A. No.

13 Q. Okay. Did you pay payroll taxes on  
these 14 amounts?

15 A. No.

16 Q. Okay. When did Senior move back to the  
17 farmhouse in Pope, another house that we own, and  
you 18 sometimes said you worked in Pope. When did  
that 19 begin?

20 A. I can't exactly remember. I think about

2020. 21 Q. Okay. Maybe June or July?

22 A. Maybe. I'm not exactly sure.

23 Q. Do you recall me asking you if you -- do  
you 24 recall if you -- asking me if you were still  
going to 25 work for us because -- because since --  
because Senior

032

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 had moved back to Pope?

2 A. Yes.

3 Q. Okay. What did I respond? What was my 4  
response?

5 A. Yes.

6 Q. Do you recall if I said why he moved back to  
7 the farmhouse?

8 A. No.

9 Q. You don't? Okay. Do you keep -- so you did  
10 keep working and you drove to the Pope farmhouse. Did  
11 you ask to get paid more money for the drive time? 12

A. Ah, yes.

13 Q. Okay. How often did you work at the 14  
farmhouse, more or less than you did when you were at 15  
Crawford -- the Crawford house?

16 A. Basically about the same hours.

17 Q. Okay. What was your -- did your job 18  
description change at all, the things that you did 19

there as compared to Crawford? Did anything change as 20  
far as the things you did?

21 A. Yes.

22 Q. For example?

23 A. We, ah, took care of the property, mowed the  
- 24 - took care of the property.

25 Q. Did Senior ever say why he moved from

Crawford 033

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 to the farmhouse in Pope?

2 A. I think he was not happy.

3 Q. Did he say why he was not happy? 4

A. Ah, he just wanted to be on the farm. 5

Q. That's all he said, he just wanted to be on  
6 the farm?

7 A. As far as I recall.

8 Q. Okay. How often did you drive him around  
9 while you were doing the work at the farmhouse,  
say, on 10 joy rides, just rides for fun?

11 A. Well, we didn't usually take joy rides for  
12 fun. We would go to Wal-Mart if he needed. 13

Q. Okay. Did you ever drive him, during this 14  
time period, while you worked for me and you were going  
15 over to the farmhouse in Pope, did you ever take  
him, 16 say, down to the lake or over to Calvin Vick's

house? 17 A. Yes.

18 Q. About how many times?

19 A. Maybe five.

20 Q. What were the -- how long were the visits? 21 A. Maybe 15 minutes.

22 Q. What was the nature of the

visits? 23 A. To just see how he was doing.

24 Q. Okay. When did you first meet Calvin Vick, 25 who is my cousin on my mother's side?

034

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 A. Ah, well, I met Calvin years ago. I just met 2 him but I really didn't know him.

3 Q. Okay. So you had known Calvin Vick prior to 4 being employed by Junior and Senior?

5 A. Well, just -- I knew him when I saw him. I 6 didn't actually --

7 Q. Okay.

8 A. -- know him.

9 Q. He seemed familiar?

10 A. Yes.

11 Q. Okay. When did you first meet him when you 12 were at -- doing work at the Crawford farmhouse? When 13 did he -- when did you first see him and realize that 14 he was my cousin and how far away -- that he lived 15 close by?

16 A. Ah, I think when he came over there one  
day. 17 Q. Was that at the beginning of the --  
18 A. Maybe --  
19 Q. -- did he just show up?  
20 A. Maybe about two or three months after Mr.  
Bob 21 had moved to Pope.  
22 Q. Okay. How far does Calvin Vick live from  
the 23 Pope farmhouse?  
24 A. A eighth or quarter of a mile,  
somewhere 25 between that.

035

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 Q. Did Senior ever mention Calvin Vick's  
brother, 2 Sam Vick or Sam Vick's son, Josh Vick? Did  
he ever 3 mention those people?  
4 A. Yes.  
5 Q. In what way or how or what was the occasion?  
6 A. That Sam was Calvin's brother and Josh was  
7 Sam's son.  
8 Q. Did you ever meet Sam Vick or Josh Vick? 9  
A. No.  
10 Q. No. Are you aware of Senior going to Calvin  
11 Vick's house on his own while you were -- during that  
12 time of employment?  
13 A. No.  
14 Q. Okay. How often did Calvin Vick come over to  
15 the farmhouse?



16 A. I think he went -- went over there one time.

17 Q. So the whole time you were working there, he  
18 came -- Calvin only came over one time?

19 A. I think so.

20 Q. Okay. In your opinion was the farmhouse safe  
21 for Senior to live in, meaning safer than, say, 22  
Crawford -- the Crawford house for a man his age and in  
23 his condition?

24 A. Ah, I think it was.

25 Q. Okay. Do you think he would have been better

036

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 off, in your opinion, or more safe or better --  
better 2 taken care of health wise if he would've  
lived at the 3 Crawford house instead of the Pope  
house? 4 A. No.

5 Q. No? Okay. Did you ever, while you were  
in 6 the employment at the Pope house, did you ever  
call me 7 to tell me that Senior had received what  
you thought 8 was a scam phone call and he had given  
them a credit 9 card number?

10 A. Yes.

11 Q. How often did that happen?

12 A. I think once.

13 Q. Just once?

14 A. [Witness nods head up and down.] 15

Q. When did I tell you about Senior writing  
16 checks to what I believed were scam solicitors  
that 17 sent him mail?

18 A. Prior to that but I guess after we moved  
to 19 the Pope house.

20 Q. So I told you that or you -- I told you  
that 21 and you were aware of it before he moved over  
to the 22 Pope house?

23 A. Yes.

24 Q. Okay. When did I tell you that I was  
getting 25 his outgoing and incoming mail at the  
farmhouse and

037

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 intercepting the scam -- what I thought was scam  
mail 2 solicitors from his normal mail?

3 A. Shortly after we moved to the Pope house.

4 Q. Okay. Did you agree to start getting his  
mail 5 for me?

6 A. Yes.

7 Q. Okay. What did you do with that  
mail? 8 A. Gave it to you.

9 Q. Did you put it anywhere?

10 A. Oh, yeah. I left it at the Pope house so  
you 11 could pick it up.

12 Q. Where did you put it at the Pope  
house? 13 A. In the bedroom drawer.

14 Q. Okay. When did Senior find out that you  
were 15 getting the mail for me?

16 A. Mmm, I don't remember.

17 Q. But at some time he did find  
out? 18 A. I think so, yes.

19 Q. You think so. Did he say anything to  
you? 20 A. I think he saw the mail.

21 Q. He -- what do you mean he saw the  
mail? 22 A. I think he went in -- he was  
looking for 23 something and he saw a stack of  
mail.

24 Q. So, just by chance -- you're stating  
that he 25 went into that bedroom and went into that  
drawer and

038

Sullivant Sr. v. Sullivant Jr.  
Exhibits for SJ Motion

1 found mail?

2 A. Yes, I believe so.

3 Q. Okay. Did he confront you about  
it? 4 A. Yes.

5 Q. What did he say?

6 A. He just said that, ah, What is this mail?  
And 7 I told him I had been putting it there.

8 Q. Okay. Did you tell him that I'd asked  
you to 9 do that?

10 A. I don't think I did.

11 Q. You didn't? You just said you were

doing it 12 on your own?

13 A. Well, he -- no. I told him I was  
putting it 14 there for him. For...

15 Q. For who?

16 A. I was putting the mail -- he asked me what  
the 17 mail was doing there and I told him that you  
were 18 picking it up.

19 Q. Okay. Did he ask anymore questions about  
why 20 I was doing that? Why I wanted you to do  
that? 21 A. I don't think so.

22 Q. Was he okay with it?

23 A. No.

24 Q. What did he say or what was his -- what  
did he 25 say in regards to that? Was he happy or sad  
or?

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1 A. He was kinda agitated.

2 Q. Okay. Did -- how -- how did you know he  
was 3 agitated? Did he say anything?

4 A. Ah, no. I could just tell by the way he  
act. 5 Q. Did he say to stop doing that?

6 A. Uh, no I don't think he did.

7 Q. So, he was okay with you continuing to get  
his 8 mail?

9 A. I think he said he was going to talk to  
you 10 about it.

11 Q. Okay. All right. During that time when  
you 12 were employed at the Pope farmhouse did you  
ever ask me 13 for any of the old household items that  
we were not 14 using around the house?

15 A. Well, yes.

16 Q. Okay. Do you have any examples of what?

17 A. You gave me a T.V. that y'all weren't  
using. 18 Q. Okay. Anything else?

19 A. Mmm, I think so but I can't remember  
what it 20 was?

21 Q. Did I give you a freezer?

22 A. Yes.

23 Q. Okay.

24 A. Well, I bought the freezer.

25 Q. Okay. You bought the freezer.

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1 A. Um-hmm. [indicating yes]

2 Q. Okay. Like, a water sprayer?

3 A. Water sprayer?

4 Q. Yes. A Stanley plug-in water  
compressor 5 sprayer thing you wash your car  
with.

6 A. Oh, yeah, Mr. Bob give me that but it  
didn't 7 work.

8 Q. Okay. Did you ever bring your brother  
over to 9 the Crawford house to pick up some items

that you 10 thought we did not anymore or want and had  
asked for? 11 A. No.

12 Q. You did not? All right. So your brother  
did 13 not come over in a pick up truck and pick up a  
smoker 14 and a few other items?

15 A. My brother did get a smoker but I don't  
think 16 he's the one that came and got it.

17 Q. Okay. Who came and got it?

18 A. I can't remember.

19 Q. Okay. When did you learn that my father  
had 20 taken the farm equipment, meaning the tractor  
-- two 21 tractors and a disk and a bush hog over to  
Calvin 22 Vick's house?

23 A. Ah, after Mr. Bob called me.

24 Q. Okay. What -- what did he say? I mean,  
did 25 he say, I just brought them over there or?

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1 A. He took them over there because he knew the  
2 farm was going to sell.

3 Q. Okay. Did he say he had made any  
arrangements 4 with Calvin?

5 A. He said he was going to take them over to 6  
Calvin's --

7 Q. Or Mr. Vick?

8 A. Yes. -- just to keep them over there because  
9 the property was selling and he -- they didn't go with

10 the property.

11 Q. Okay. But he did not say how long he planned  
12 on Cal -- Mr. Vick to -- was going to keep the 13  
equipment for him?

14 A. No.

15 Q. He didn't specify? He didn't give you any  
16 indication of that?

17 A. He did not.

18 Q. While you were living at the farm -- while  
you 19 were working at the farmhouse in Pope, did you  
have any 20 other sitter/clients besides -- besides

Senior? 21 A. Yes.

22 Q. Okay. Who were they and where did they live?

23 A. Ah, they were Mr. and Mrs. Fortner and they  
24 lived in the Delta.

25 Q. Could you spell that for us, please? 042

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1 A. F-o-r-t-n-e-r.

2 Q. Thank you. Where in the Delta do they  
live? 3 A. Lambert.

4 Q. Lambert. How often did you work for  
them? 5 A. Ah, two days a week.

6 Q. What was the arrangements as compared to  
what 7 you had with us -- with Senior at the  
farmhouse? 8 A. Ah, they were elderly and I  
went down there 9 after I left Mr. Bob's and stayed  
with them until the 10 next morning.

11 Q. Okay. Good enough. Now, you mentioned  
the 12 farm was going to sell. When did -- when did  
Senior 13 move back to the Crawford house due to the  
sale of the 14 house?

15 A. Ah, may have been April of 2021. I don't  
know 16 exactly when the house sold.

17 Q. Okay. Well, the -- did you ask me if you  
were 18 still going to work for us after he moved back  
to the 19 Crawford house?

20 A. I'm sure I did, yes.

21 Q. Okay. And then what did I respond  
with? 22 A. Yes.

23 Q. Did I say anything else? I just said  
'yes' 24 and that was it?

25 A. I think so.

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1 Q. Okay. After Senior moved back to the  
Crawford 2 house and you are still reporting to me,  
did you ever 3 go on any joy rides or how were things  
-- let me back 4 up. I'm sorry. Let me back up.

5 Were your duties any different when  
Senior 6 moved back to the Crawford house were your  
duties any 7 different than they were before?

8 A. No. Just clean and take him to the  
doctor's 9 office, clean the house and, uh, cook if  
I needed to 10 cook.



11 Q. Okay. Did you go on any joy rides with  
him? 12 Just, say, driving around just for the fun  
of driving 13 around?

14 A. Well, I would take him to Wal-Mart and to  
his 15 doctors' visits and that's about it.

16 Q. Okay. During that period when I was  
still 17 paying you and you reported to me and I  
decided your 18 schedule, did you ever drive him  
back down to Pope to 19 see Calvin, then Mr. Vick?

20 A. Uh, I'm sure I did.

21 Q. Okay. Any other joy rides, you know,  
just 22 say, he asked, I just want to drive around  
somewhere 23 and see the trees and the roadside?

24 A. Once -- about once a month we would go to  
25 Coleman's Bar-B-Q in Senatobia because he liked to  
eat

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1 there.

2 Q. How many times did that occur?

3 A. About once -- once a month. We still do  
that. 4 Q. Do you recall when I told you I had to

-- I 5 wanted to put Senior in a conservatorship? 6

A. No.

7 Q. You do not? Okay. You don't recall one day  
I 8 explained to you I would like -- I had decided to  
put 9 him in a conservatorship because I couldn't manage

him 10 writing all the checks to the scam solicitors and

11 giving people --

12 A. Oh, yeah.

13 Q. -- his credit card numbers and -- 14 A.

Uh-huh. [indicating affirmative] 15 Q. -- and I  
decided that the time had come for 16 that to happen?

17 A. [Witness nods head up and down.] 18 Q.

About when was that?

19 A. Ah, maybe after he moved back to Crawford 20  
Circle.

21 Q. Right. Did I say anything else? Did I -- do  
22 you recall what I said exactly or in general what I  
23 said?

24 A. Just what you said.

25 Q. Okay. Did I state what I would have to do to

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Sullivant Sr. v. Sullivant Jr.  
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1 do that?

2 A. No.

3 Q. Okay. Do you recall me saying I had made  
4 Senior an appointment with Dr. Linder in Batesville  
for 5 a mental evaluation so I could proceed with a  
6 conservatorship?

7 A. Yes.

8 Q. Okay. Did you take him to that

appointment? 9 A. Yes.

10 Q. Could you -- could you tell us what  
happened 11 at that appointment?

12 A. The per -- the psychiatrist he was  
suppose to 13 see was not there that day.

14 Q. Did he not see Dr. -- Dr.

Linder? 15 A. Yes.

16 Q. What -- what did he -- what did he say or  
were 17 you in the room when he examined my father or  
saw my 18 father or saw Senior?

19 A. Yes.

20 Q. Okay. What -- what did he -- Dr. -- Dr.  
21 Linder do as far as procedures or what did he do  
for my 22 father?

23 A. I think he cut his toenails.

24 Q. Cut his toenails? Okay. I'm a little  
25 confused. You stated that the psychiatrist was  
not

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1 there that day? Was he suppose -- I don't quite  
2 understand that. Could you explain that a little  
bit 3 more?

4 A. I think he was suppose to go in for a  
mental 5 evaluation.

6 Q. Okay.

7 A. I'm not for sure.

8 Q. Okay. All right. Did you tell Senior  
that -- 9 that visit -- that appointment with Dr.  
Linder was to 10 be a mental evaluation to be used in  
a conservatorship 11 proceeding?

12 A. Yes.

13 Q. When did you tell him that?

14 A. After he got his toenails cut and he  
asked me 15 why we went over there for that visit.

16 Q. All right. So at that time you told him  
that 17 I was trying to put him a conservatorship and  
I made 18 that appointment for that purpose?

19 A. No. I told him he was suppose to go in  
for a 20 mental evaluation.

21 Q. Okay. But there was not one  
done? 22 A. No.

23 Q. Okay. Because you said -- because it was  
not 24 done because the psychiatrist was not there  
that day? 25 A. Whoever was suppose to evaluate

him was not

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1 there. She was sick.

2 Q. I see. All right. During the time  
period 3 when you're back at the Crawford house  
doing work 4 there, after the farm had sold or was  
about to close, 5 do you recall looking at houses  
for sale in Batesville 6 on the Zillow dot com

website?

7 A. Yes.

8 Q. Okay. Could you tell us some more about that? 9 A. Mr. Bob did not like living at

Crawford Circle 10 and he wanted to find a house closer to Batesville. 11 Q. Okay. Did he say

why he did not like living 12 in the Crawford house?

13 A. Because he wanted to be closer to Pope.

14 Q. Okay. Good enough. What was your role in him 15 trying to find a house on Zillow or did he ask you -- 16 did he ask you, Come help me find a house on Zillow 17 dot com?

18 A. No. Basically he was looking for his own 19 houses and when he found them he would tell me where 20 they were at.

21 Q. Okay. Did he show them to you on the Zillow 22 website?

23 A. Ah, no.

24 Q. He did not? So, I'm confused. He just stated 25 that he just saw them on Zillow dot come and told you

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1 that he found one that he liked?

2 A. No. He found them when he was, ah, riding 3 down the road or he would see a For Sale sign and he 4 would tell me about them.

5 Q. Okay. But he didn't find any houses on  
the 6 Zillow website that he liked and showed you?

7 A. Ah, no.

8 Q. He did not. Okay. So, -- but he did show  
you 9 the Zillow website on the computer? Would you  
-- did 10 he -- did he ask you to come into his room  
and look at 11 the houses on Zillow dot com?

12 A. Ah, I can't remember but he might have.

13 Q. Okay. So you don't recall going into his  
room 14 and having the door closed for half an hour or  
an hour 15 and looking at houses on Zillow dot com  
with Senior? 16 A. Ah, no.

17 Q. You do not -- you do not remember that?  
Did 18 Senior say he wanted to buy a house?

19 A. Yes.

20 Q. And his plan, he was going to buy this  
house 21 by himself?

22 A. Yes.

23 Q. Okay. Did he ask you to call a real  
estate 24 agent?

25 A. Ah, yes.

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1 Q. Did you call a real estate agent? 2 A.

I think so.

3 Q. Okay. Was it about a specific house? 4

A. Ah, I think so.

5 Q. Okay. If you could, could you maybe try to  
6 recall if it was about a specific house or just to  
find 7 a house for him in general?

8 A. It was about a specific house.

9 Q. Okay. Do you remember where that specific  
10 house was?

11 A. I think it was over toward Independence. 12

Q. Okay. What did the real estate agent do or 13  
what did you ask the real estate agent to do? 14 A.

Nothing. We just called about it to see how 15 much it  
was. It was a house that had went into 16 foreclosure.

17 Q. Okay. What did you find -- what did the real  
18 estate agent tell you?

19 A. Ah, just, I guess, the price of the house.

20 Q. Okay. But the price of the house was on the  
21 Zillow website, was it not?

22 A. Ah, I don't know if that house -- that house  
23 had a For Sale sign in the yard so I think that's how  
24 we called.

25 Q. Okay. I'm a little confused. I'm going to

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1 try to clear this up. So you did not find the  
house -- 2 he did not find the house on Zillow dot  
com that he 3 asked you to call a real estate agent

about? 4 A. I might have found it and called  
for him 5 because he was wanting to move closer to  
Pope. 6 Q. Right. Okay. What did he say he  
was going to 7 do with the Crawford house? Did he  
say he was going 8 to sell it?

9 A. No. He said you would live there. 10

Q. Okay. Did he say how he was going to finance  
11 the purchase of this house?

12 A. I guess he would pay for it.

13 Q. With what funds?

14 A. With his money.

15 Q. Okay. Did he give any specific ideas  
about 16 where the money would come from?

17 A. No.

18 Q. He did not? Okay. Did he say that --  
did he 19 mention, by chance, that he would take the  
proceeds of 20 the farmhouse sale and purchase this  
house? 21 A. No.

22 Q. He did not say that? So he was just  
going to 23 pay cash -- he said he was going to pay  
cash for the 24 house?

25 A. No.

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1 Q. Did he give you any indication if he was  
going 2 to go get a loan or write a check for it or  
anything 3 like that?

4 A. No.



5 Q. He did not? Okay. When did you -- speaking  
6 of the farmhouse, when did you learn that or when did  
7 it become aware to you that we would be -- Senior and  
8 Junior would be getting a sales proceeds check from  
the  
9 sale of the farmhouse?

10 A. I guess when it closed.

11 Q. Okay. So you're stating that you knew at the  
12 time of the closure that Junior and Senior had gotten  
a 13 check for the sale of the house?

14 A. Well, yes.

15 Q. Okay. Did you believe that that was Senior's  
16 money or Junior's money or both?

17 A. Both.

18 Q. Okay. Did Senior say what happened to that  
19 check?

20 A. No.

21 Q. Okay. Did he say that he -- he and I put it  
- 22 - went to Regions Bank and put it into a joint bank  
23 account?

24 A. No.

25 Q. Okay. When did you learn that Senior had 052

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1 given me Power of Attorney over his affairs? 2 A.  
Ah, when did I learn it?

3 Q. Yes. When did you become aware that I had

4 Power of Attorney over his affairs and dealings? 5

A. Ah, probably in June of 2020.

6 Q. How did you learn of that?

7 A. Mr. Bob was going through his records and 8  
showed it to me.

9 Q. All right. Just a quick note. So he showed  
10 you the Power of Attorney?

11 A. Yes.

12 Q. Why did he show it to you?

13 A. He was looking for something in his files and  
14 we were going through it and I was trying to help him  
15 find it.

16 Q. Find -- what he was trying to find? What was  
17 he trying to find originally?

18 A. I don't recall.

19 Q. But you were helping him find whatever that  
20 was?

21 A. Yes.

22 Q. But you do not recall what he had asked you  
to 23 help him find in his files?

24 A. Right.

25 Q. When you say files, could you -- 053

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1 A. Some of his paperwork that he had. 2

Q. Where was it? Was it just a folder or was it  
3 a big file cabinet?

4 A. I think it was just in a little

accordion 5 folder.

6 Q. Okay. And he couldn't find some kind of  
paper 7 and he asked you to help him find that  
particular paper 8 but it wasn't the Power of  
Attorney he was trying to 9 find?

10 A. No.

11 Q. But you don't recall what it was that he  
had 12 asked you to find?

13 A. No.

14 Q. Okay. And you're stating that when you  
went 15 through this little accordion folder that he  
found the 16 Power of Attorney?

17 A. I think so, yes.

18 Q. Okay. What did he do?

19 A. I mean, I don't know what he did. He  
didn't 20 do anything.

21 Q. Well, you stated that he said, This is a  
Power 22 of Attorney, and that's how you learned about  
it. 23 A. And he put it back in the folder. 24

Q. And that's all he said about the Power of 25  
Attorney is, This is a Power of Attorney, and just put

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1 it back in the folder?

2 A. Yes.

3 Q. Did y'all ever find what you were originally  
4 trying to find?

5 A. I don't think so.

6 Q. Okay. What does a Power of Attorney mean to  
7 you? Does it -- are you aware of what a Power of 8  
Attorney does?

9 A. No, not really.

10 Q. All right. Did he state what it did? 11

A. No.

12 Q. Okay. Did Senior state why he gave me the  
13 Power of Attorney?

14 A. No.

15 Q. Do you think -- do you think it was a good  
16 thing that I had the Power of Attorney?

17 BY MR. ALFORD: Object to  
18 the form. You can answer. 19

BY MR. SULLIVANT: Can or 20  
can't?

21 BY MR. ALFORD: Yeah, she  
22 can answer it.

23 BY MR. SULLIVANT: Okay. 24

A. So, yes.

25 BY MR. ALFORD: She already

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1 said she didn't know what a 2

Power of Attorney is for. 3

[Mr. Sullivant] Do you recall about when that 5  
was that you were going through -- helping him go 6  
through that accordion file of papers? Do you remember  
7 about when?

8 A. Maybe about April.

9 Q. About April. He was living at  
Crawford? 10 A. Right.

11 Q. All right. Were you aware that Senior  
went to 12 Jay Westfaul's law office in Batesville to  
have the 13 Power of Attorney revoked?

14 A. Yes.

15 Q. When did you find that out?

16 A. When I went with him.

17 Q. Okay. So you went with him to Jay  
Westfaul's 18 office?

19 A. Yes.

20 Q. Do you have knowledge of how Senior  
decided 21 upon Jay Westfaul to choose him to do  
this? 22 A. He just picked an attorney in

Batesville. 23 Q. Okay. When -- and you went  
with him. You 24 drove him from the Crawford  
house?

25 A. Yes, I think so.

1 Q. Okay. Do you remember --

2 A. No. It -- I think it -- yeah, it was in the  
3 Crawford house.

4 Q. So one day y'all drove to Batesville to Jay  
5 Westfaul's office to have the Power of Attorney 6  
revoked?

7 A. Right.

8 Q. And that's all y'all did that day -- 9 A.  
Um-hmm. [indicating yes]

10 Q. -- as far as driving?

11 A. Um-hmm. [indicating yes]

12 Q. Just --

13 BY MR. ALFORD: 'Yes' or  
'no'. 14 A. Yes.

15 Q. [Mr. Sullivant] Did he state why he was  
doing 16 that?

17 A. No.

18 Q. He just -- did he just -- when you came over  
19 that day he said, We need to go to Jay Westfaul's 20  
office so I can have this Power of Attorney revoked? 21

A. I think he'd already made the appointment and 22  
I took him over there.

23 Q. Okay. Did he state why --

24 A. No.

25 Q. -- why he was doing it? Did you ask? Were

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1 you curious about why would you want to go revoke your  
2 son -- Junior's Power of Attorney over you? 3 A.

I didn't ask him.

4 Q. You didn't think about why, on the way over  
5 there, it didn't come up?

6 A. [Witness shakes head from side to side.] 7

Q. Were you not curious?

8 A. I mean, that's his business. No, I mean, I  
9 just do what Mr. Bob asks me to do.

10 Q. Okay. All right. About that time or did you  
11 go -- were you aware that Senior withdrew \$230,000.00  
12 out of a joint account owned by Senior and Junior? 13

A. No.

14 Q. You were not aware of that?

15 A. No.

16 Q. To this day you are not aware of that? 17

A. Yes.

18 Q. Okay. When did you find out about that? 19

A. About three days later when I went in Mr. 20  
Bob's to clean, he told -- went up to his house to 21  
work, he told me.

22 Q. Okay. What did he say?

23 A. He said that he had, ah, closed a bank  
account 24 out.

25 Q. Did -- what did he say he did with the money?

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1 A. Put it in a account.

2 Q. Okay. Did he say what type of account  
the 3 money was in originally? Was it in a joint --  
did he 4 say what account it came out of --

5 A. It came out of a joint account.

6 Q. Did he state it was owned by Senior  
and 7 Junior?

8 A. Yes.

9 Q. Okay. And he just stated he put it  
into a 10 different account?

11 A. Right. Yes.

12 Q. Did he say why?

13 A. Ah, no.

14 Q. He just announced -- so he just announced  
15 that, A couple of days ago I went up to the Regions  
in 16 Batesville and took \$230,000.00 out of a joint  
account 17 owned by Senior and Junior and put it into  
an account 18 only owned by Senior, and that's what he  
said? 19 A. Yes.

20 Q. He didn't elaborate? He didn't say  
why? 21 A. No.

22 Q. What did you do? I mean, did you ask  
why? 23 Did that start a conversation?

24 A. Yeah, I asked him why.

25 Q. What did he say?



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1 A. I think he wanted to buy a house. 2

Q. Oh, okay. So he wanted to use that money to  
3 buy the house. What did you say in reply? 4

A. I didn't say anything.

5 Q. The conversation just ended?

6 A. [Witness nods head up and down.]

7 Q. Okay. So, just to get this straight, he  
8 stated he was going to use those funds to buy a  
house 9 and you didn't say anything? The  
conversation just 10 ended?

11 A. Yes.

12 Q. Okay. Did he mention it ever again? In  
the 13 next few days did he ever mention the money  
that he had 14 put into that account?

15 A. No.

16 Q. Did he mention anything else about  
buying a 17 house since he had some money to buy a  
house? 18 A. Yeah, and then he changed his

mind. 19 Q. Could you elaborate?

20 A. He knew that he probably wouldn't be able  
to 21 live by himself so he went into assisted living.

22 Q. Okay. That's a big jump so let's back up.

23 Okay. So he stated that he had taken the  
\$230,000.00 24 out of the joint account owned by  
Senior and Junior, 25 put it in an account just in

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1 he was going to buy a house with it and then he told  
2 you he had changed his mind and was going to move  
into 3 assisted living?

4 A. Yes.

5 Q. Was that part of a bigger conversation? 6

A. He just said that he didn't think he would be  
7 able to live by himself.

8 Q. Did you have any comments? Did you have any  
9 ideas or did you add to -- reply to that

conversation? 10 A. Yes.

11 Q. What did you say?

12 A. I said he could go back to live at Crawford  
13 Circle in the house.

14 Q. So he wasn't -- when this conversation 15  
happened, he wasn't -- he didn't live at Crawford 16  
Circle?

17 A. Yes. He was still there.

18 Q. Okay. So -- but he's still living there.

So 19 you told him to just stay at Crawford Circle? 20

A. [Witness nods head up and down.] 21 Q.

Could you state that, please?

22 A. Yes.

23 Q. You're just --

24 A. Yes.

25 Q. Okay. What did he say in reply because

you'd 061

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1 stated before that he wanted -- he didn't want to  
stay 2 there, he wanted to be closer to Pope. What  
did he say 3 in return?

4 A. He didn't want to live at Crawford  
Circle. He 5 would just go into assisted living.

6 Q. Okay. Did he state that that did not meet  
his 7 earlier criteria of being closer to Pope? 8

A. [Witness nods head up and down.]

9 Q. Could you answer?

10 A. Yes.

11 Q. So he did state that?

12 A. I don't understand the question. 13

Q. Previously you had stated that Senior wanted  
14 to move from Crawford Circle and be closer to

Pope. 15 A. Yes.

16 Q. That's why he was trying to find a house.  
You 17 had stated that.

18 A. [Witness nods head up and down.] 19 Q.

Now you're stating that he no longer wants to 20  
move closer to Pope, he wants to move into an assisted  
21 living facility.

22 A. Because he knew that he would be by

hissself 23 and he really couldn't take care of  
hissself. He didn't 24 want to really be by hissself  
because he couldn't take 25 care of hissself. He  
needed -- excuse me -- he needed

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1 someone to be there so he thought it would be better  
to 2 go to assisted living.

3 Q. Did he state where he might -- did he have  
any 4 assisted living facilities in mind?

5 A. The Elison.

6 Q. This conversation was taking place at the 7  
Crawford house?

8 A. Yes.

9 Q. Okay. Did he state when he was going to move  
10 to the assisted living facility, --

11 A. No.

12 Q. -- the Elison?

13 A. No.

14 Q. Did he state any specific plans that he had?

15 A. No.

16 Q. He did not. Did you not ask him? After he  
17 stated he was going to move into an assisted living  
18 facility did you not follow up with some questions or  
19 with a conversation?

20 A. Which one?

21 Q. That he was going --

22 A. I mean, I asked him which one -- 23 Q.

All right.

24 A. -- he was going to.

25 Q. Okay. And what -- and then he -- what did he

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1 reply?

2 A. He had checked on a few and he was going  
to go 3 to the Elison.

4 Q. Okay. So he stated that he had checked  
on a 5 few--

6 A. Um-hmm. [indicating yes]

7 Q. -- and decided on the Elison?

8 A. [Witness nods head up and down.]

9 Q. Okay. But he did not state when he was  
going 10 to do that?

11 A. No.

12 Q. Did you ask him if you were still going  
to be 13 employed past the time he would move into  
the assisted 14 living facility?

15 A. No.

16 Q. You did not ask him that? But you're  
still 17 under the --

18 A. But -- yes. He wanted me to -- I didn't  
ask 19 him that but he did want me to come up there

and, like, 20 I still take him to the doctor and stuff  
like that. 21 Q. Okay. When -- when was the  
last time you 22 worked for me where you reported to  
me and I paid you 23 and decided your hours or what  
dates to work? 24 A. Probably, ah, maybe June  
of, ah, 2021, or 25 April. Somewhere. May, April,  
May of 2021.

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1 Q. April, May or June?

2 A. Yeah. Something like that.

3 Q. Okay. Describe how that happened. You  
just 4 no longer worked for me. Did you just not  
show up or 5 did I say, You're fired, or what did I  
say? 6 A. You didn't say anything. Mr. Bob,

I think, 7 left.

8 Q. Okay.

9 BY MR. SULLIVANT: I have  
-- I 10 would like to enter an  
exhibit and 11 maybe clarify some  
of this if Mr. 12 Alford doesn't  
object or wants to 13 look at it.

14 Q. [Mr. Sullivant] These are text messages  
dated 15 from March 11th, 21st to the present from me  
and -- 16 between you and I. Between Evelyn --  
between Mrs. 17 Stevens and Junior.

18

BY MR. SULLIVANT: I

would 19 like to enter these as  
an exhibit 20 to the deposition  
and have Mrs. 21 Stevens look at  
them. 22 BY MR. ALFORD: I  
mean, I 23 think it's probably  
something that 24 was never  
produced to me in 25 discovery  
but I don't really care.

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1 BY MR. SULLIVANT: I -- 2  
anyway.

3

4 [The text messages were marked as  
5 Exhibit 1 to the deposition of 6  
Mary H. "Evelyn" Stevens.] 7

8 BY MR. SULLIVANT: In  
response 9 to Mr. Alford's statement  
that this 10 was not presented in  
discovery, I 11 will state this is  
for the purposes 12 of this  
deposition because we're 13 having  
some understanding of dates 14 which  
I think to help clarify the - 15 -  
the dates that I am trying to ask 16  
about so we can have some -- some 17  
factual information to refer to, to 18  
help.

19 Q. [Mr. Sullivant] If you could look at maybe  
20 around June 16th, these text messages.

21

22 [Pause in proceedings.] 23

24 A. Okay.

25 Q. Okay. You had -- is -- on June 16th did you

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1 send me a text message saying 10:30 to

1:30? 2 A. Right.

3 Q. Okay. Is there any other -- and what was  
4 that? What is that, that you texted to Junior?

5 A. Well, you'd sent me, Send me your hours  
from 6 yesterday and I will pay out of my account.

7 Q. All right.

8 A. And that was my hours, 10:30 to 1;30. 9

Q. Okay. Good enough. So those are your hours.  
10 What did I reply back with?

11 A. Yes.

12 Q. Not 3 hours?

13 A. Yeah. 3 hours.

14 Q. And then what did you reply?

15 A. Yes.

16 Q. Okay. Is there any other text after  
that 17 submitting any hours to me?

18 A. No.



19 Q. Okay. Would you think that June 16th  
might 20 have been the last day you worked --  
reported to me? 21 A. Yes.

22 Q. So, to get back to the line of  
questioning, 23 you were stating when you started to  
work directly for 24 Senior. When would that have  
been in reference to the 25 June 16th day that you  
stopped working for me?

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1 A. Probably around the 4th or 5th of July.

2 Q. So you did not work for Senior between  
the -- 3 June 16th and, say, around July 4th?

4 A. Right.

5 Q. Okay. Did you call him or did he call  
you or 6 what was the arrangement?

7 A. Oh, I just called -- I would call and  
just 8 check on him. See how he was doing.

9 Q. Okay. So at this time he was at the  
Elife? 10 A. He was at the Elison.

11 Q. Elison. I'm sorry. The Elison. So  
you're 12 stating that you just called him to check on  
him to see 13 how he was doing?

14 A. Right.

15 Q. All right. What did he say?

16 A. He said he was okay.

17 Q. How did y'all get back into the

employer/ 18 employee relation?

19 BY MR. ALFORD: Object to  
the 20 form. You can answer if  
you can. 21 A. I would go check on him and take  
him to the 22 doctor, take him to the grocery store.

23 Q. [Mr. Sullivant] Did Senior say, I still  
need 24 your -- I still need you to drive me around  
on that 25 phone call?

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1 A. He -- yes. I went up there in person to see  
2 him after he moved in.

3 Q. Okay. And at that time he asked you, I still  
4 need to have you drive me around?

5 A. Yes.

6 Q. Okay. What did you say?

7 A. I said yes.

8 Q. All right. So, back to June 16th, on the  
last 9 day that you worked for me, did -- you didn't  
say, Hey, 10 I'm not going to work for you anymore or did  
I say what 11 -- or did I -- did I end it or did you end  
it?

12 A. Well, uh, I just didn't -- I just didn't go  
13 back over there because I didn't think Mr. Bob was 14  
going to be over there anymore so you wouldn't need me.

15 Q. On June the 16th?

16 A. I guess that's the last time, yes. 17 Q.

When did Senior move into the Elison? 18 A. I  
don't know exactly when he moved in. He had 19 already  
moved in before I knew it.

20 Q. Okay.

21 A. He called me and told me he was living at the  
22 Elison.

23 Q. Okay. All right. So you did not speak to  
him 24 between those dates?

25 A. Yes, I spoke to him but I never -- a couple

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1 times on the phone.

2 Q. Okay. So between June 16th and  
around 3 July 4th you did talk to him?

4 A. Yes.

5 Q. Did you call him or did he call  
you? 6 A. He would call me and I would

call him. 7 Q. Who called who first?

8 A. I called him to check on him or he would  
call. 9 I can't remember who called each other first  
'cause I 10 always called to check on him.

11 Q. Okay. So if you're calling every so  
often, 12 you would know about when he moved into  
the Elison. 13 A. I think he moved in the

Elison around maybe 14 the 1st or 2nd of July.

15 Q. Okay. All right. So the only contact  
-- I 16 mean, you just called him a few times to  
check on him 17 between the 16th and the -- July  
4th?

18 A. Probably twice a week I would check on  
him. 19 Two or three times a week I would call him.

20 Q. Okay. But back to the June 16th, and  
that 21 being the last day that you gave me some  
hours, you -- 22 you didn't ask me, Am I still going  
to work for you, 23 or, What's the deal? You weren't  
wondering about 24 that?

25 A. No.

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1 Q. As you -- but you did the times before  
when he 2 moved from Crawford to Pope, you asked,  
correct? 3 A. Right.

4 Q. And then when he moved from Pope  
back to 5 Crawford you asked me will you still  
be working. 6 A. Yes.

7 Q. But you didn't this time?

8 A. No.

9 Q. And any reason why?

10 A. Because you wouldn't need me  
anymore. He 11 wouldn't be living there at  
Crawford.

12 Q. But he didn't move there 'til July 1st.

He 13 didn't move -- he didn't move to the Elison  
until 14 June -- you stated he didn't move there until  
July 1st. 15 A. Right.

16 Q. All right. But -- about two weeks and  
you 17 just wouldn't think he would need anything?  
But you 18 did call him during those -- those -- that  
time period 19 but you didn't call me to ask what the  
deal was? 20 A. No.

21 Q. Okay. All right. So from June 16th you  
never 22 called me and didn't contact me?

23 A. Right.

24 Q. And just -- and just all of the sudden  
you 25 just -- you had assumed that our employment  
relation

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1 just ended?

2 A. Right.

3 Q. And you're stating that you weren't curious  
4 about that as you'd been the times before when things  
5 changed? You weren't curious if you were still going  
6 to be working?

7 A. Right.

8 Q. All right. All right. So when was the next  
9 time you actually worked for Senior?

10 A. I think he had been over at the Elison maybe  
11 two or three days before I went over there and saw

him. 12 Q. Okay. Did you go inside the Elison? 13

A. Yes.

14 Q. Did you go into his room?

15 A. Yes.

16 Q. How long did you spend there that first day?

17 A. Maybe about an hour or so.

18 Q. Okay. Was this work or just to visit? 19

A. Visit, to help him set up his T.V., set up his  
20 computer.

21 Q. Okay. But you never came by the house to 22  
check on him during that time period, between June 16th  
23 and when he moved to the Elison?

24 A. Not that I recall.

25 Q. Okay. Why did you not come over to the house

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1 to check on him? If you went over to the Elison to  
2 check on him, why didn't you come by the house to  
check 3 on him?

4 A. I just called him on the phone.

5 Q. Okay. Then when you started the new 6  
employment reporting directly to Senior, describe your  
7 duties or job description from that point on. 8

A. I would go up there, take him to the doctor,  
9 take him to Wal-Mart, take him to his doctors'

visits. 10 Q. How often a week?

11 A. Maybe twice.

12 Q. Twice a week. Did you go anywhere besides  
13 Wal-Mart or to a medical provider? Did you go  
anywhere 14 -- did y'all just drive around or what  
else did you do? 15 A. He went and got his hair  
cut. He would have 16 to go to Memphis Dermatology.  
I've taken him up there 17 several times. I've taken  
him to, ah, well, I was 18 going to take him to Tupelo  
and Wal-Mart, doctors' 19 office, Walgreens, Lowe's,  
Home Depot, wherever he 20 needed to go.

21 Q. Okay. You stated that was about twice a  
week 22 he had somewhere to go?

23 A. Yeah. Sometime --

24 Q. About how long a duration would you work  
each 25 time?

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1 A. Maybe two hours.

2 Q. Two hours? What was -- so about how  
many 3 total hours a week did you work for him?

4 A. Well, I worked for about -- about five or  
six. 5 Q. Total for a week?

6 A. Yes.

7 Q. All right. Did he pay you by the  
hour? 8 A. He didn't pay me.

9 Q. Okay. So, then, do you consider if you  
10 don't -- if you are not getting paid that you are

doing 11 work for somebody?

12 A. Yes, because I knew he was in a bind with  
his 13 finances and I didn't know what the situation  
was, so I 14 -- I did that because he's a friend of  
mine and I 15 wanted him to be taken care of.

16 Q. So you are working pro bono, for free?

17 A. Well, no. He said when he got his  
finances 18 together that he would pay me.

19 Q. When did that happen?

20 A. I don't think it's happened yet. 21

Q. So he doesn't pay you each time you work or  
22 each week like I did?

23 A. No.

24 Q. All right. Do you keep up with the  
hours? 25 A. Yes.

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1 Q. So you have all the hours that you work  
for 2 Senior recorded?

3 A. Well, I basically know about how much. I  
4 didn't record them all but I know -- I know how  
often I 5 worked.

6 Q. All right. So on this employee/employer  
7 relation, when are you expected to get paid?  
When 8 did -- has he said when he's going to pay  
you for all 9 this back time?

10 A. He already did pay me.



11 Q. Oh, he did? So, how much did he pay  
you? 12 A. He give me his car.  
13 Q. Okay. So he gave you your car. How much  
was 14 the car worth?  
15 A. I don't know. I didn't ask him. 16 Q.  
All right. So, the car being a Buick LeSabre? 17  
A. Right.  
18 Q. Did he sign the -- the title over to  
you? 19 A. Yes.  
20 Q. All right. So that pays for all work  
done 21 previously to that time?  
22 A. Yes.  
23 Q. Okay. When did he give you the Buick  
LeSabre? 24 A. He signed it over to me maybe a  
month or two 25 ago.

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1 Q. All right. Have you worked for him  
since 2 then?  
3 A. Yes.  
4 Q. Has he paid you?  
5 A. [Witness shakes head from side to  
side.] 6 Q. Could you answer that  
question out loud? 7 A. No, I'm sorry.  
No.  
8 Q. All right. So he hasn't paid you but  
you're 9 still doing work. Are you expecting to

get paid? 10 A. No.

11 Q. So you're working for free?

12 A. Yes.

13 Q. Okay. All right. So just to clarify, you  
are 14 now working for free, going to the Elison twice  
a week, 15 five hours a time?

16 A. Not necessarily five hours at a time. I  
mean, 17 sometime two, sometime one, sometime four.

18 Q. Okay. Do you go inside and sit with him  
19 and --

20 A. Yes. Go inside. Sit with him.  
Make -- 21 usually take him to his doctors'  
appointments. 22 Q. Okay.

23 A. Take him to Wal-Mart and get his  
medicine, 24 take him to get his groceries.

25 Q. Do any other driving?

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1 A. Drive him to Pope to the -- to get his  
hair 2 cut.

3 Q. Anywhere else y'all drive?

4 A. If he needs to go somewhere and asks  
me to 5 take him there, I'll take him.

6 Q. For example?

7 A. For example, if he wanted to go to Lowe's  
in 8 Batesville, I would take him there. If he wants  
to go 9 to Coleman's in Senatobia, I would take him

there. 10 Q. All right. So -- but it was always  
drive some 11 -- some specific place to buy something,  
do some sort 12 of service for some specific reason  
that there was a 13 destination to go there?

14 A. Right.

15 Q. Okay. But y'all just didn't drive  
around 16 sometimes?

17 A. Most of the time we didn't.

18 Q. Okay. So you just stated -- did you just  
19 state that you went to Wal-Mart and Lowe's, get the  
20 hair cut but you didn't mention anything about the  
joy 21 riding or just driving around. Did you mention  
that? 22 A. When we came back from getting his

hair cut 23 sometime we would ride down to Chickasaw  
to see how the 24 water was but that wasn't a joy  
ride, I don't think, 25 'cause that was right there  
where he was getting his

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1 hair cut.

2 Q. All right.

3 A. We usually don't go joy riding.

4 Q. All right. During this -- on any of these  
5 rides did you take him to Calvin Vick's house? 6

A. Yes.

7 Q. Oh, okay. So you -- how often did you take  
8 him to Calvin Vick's house?

9 A. I've taken him about three or four times. 10

Q. Why did you not mention that before when I was  
11 asking about where all you took -- took him to before?

12 A. I did answer --

13 BY MR. ALFORD: She's already  
14 testified about that. 15 A.

I already answered that.

16 Q. [Mr. Sullivant] All right. But you answered  
17 to before. That was before when you were working for  
18 me or about that time, not recently.

19 A. I didn't --

20 BY MR. ALFORD: is that a 21  
question?

22 Q. [Mr. Sullivant] It was a -- it was a  
rebuttal 23 to Mr. Alford's objection.

24 A. I don't understand that.

25 Q. All right. Well, good enough. We will move