

DISTRICT COURT OF MARYLAND FOR Allegany County

LOCATED AT (COURT ADDRESS)



3 Pershing Street
Cumberland MD 21502

COMPLAINT [] \$5,000 or under [] over \$5,000 [X] over \$10,000

Clerk: Please docket this case in an action of [] contract [] tort
[X] replevin [] detinue [] bad faith insurance claim

The particulars of this case are:

CASE NO.

CV

PARTIES

Plaintiff

Board of Commissioners of Allegany County
701 Kelly Road
Cumberland MD 21502

VS.

Defendant(s)

1. David A. Goad, Sheriff of Allegany County
708 Furnace Street Extended
Cumberland MD 21502

- Serve by:
[] Certified Mail
[X] Private Process
[] Constable
[] Sheriff

2.

- Serve by:
[] Certified Mail
[] Private Process
[] Constable
[] Sheriff

3.

- Serve by:
[] Certified Mail
[] Private Process
[] Constable
[] Sheriff

4.

- Serve by:
[] Certified Mail
[X] Private Process
[] Constable
[] Sheriff

ATTORNEYS

For Plaintiff - Name, Address, Telephone Number & Code

Office of the County Attorney
William M. Rudd, Esq. (#1247) & Barry R. Levine, Esq. (#0872)
701 Kelly Road
Cumberland MD 21502
301-777-5823

The Board of Commissioners of Allegany County, Maryland, is the title owner of twenty-seven (27) motor vehicles (see copies of the titles to said 27 vehicles containing the VIN number for each vehicle) that are currently in the custody of the Sheriff's Office of Allegany County, Maryland, David A. Goad, Sheriff. Demand was made on Sheriff David A. Goad for the return of these vehicles and all items of equipment contained in and attached to said vehicles on August 4, 2008; all such equipment also being the property of the Board of Commissioners of Allegany County, Maryland, having been paid for with public funds appropriated by the Board. Information has been received that Defendant or his agents may remove equipment contained in or attached to said vehicles if Defendant decides to honor the request to return said motor vehicles to Plaintiff. Property attached or contained in the listed vehicles includes, but is not limited to, items listed in Attachment A and replevin of all property described in Attachment A is also sought in this action. Attachment A includes other enumerated property that was purchased by public funds and belongs to Plaintiff as well, replevin of those items is also sought pursuant to this action. Defendant David A. Goad as of this date has refused to turn over said property to the lawful owner and the Plaintiff, Board of Commissioners of Allegany County, Maryland.

(See Continuation Sheet)

[] Legal
[] Contractual %

The Plaintiff claims:

[] \$ plus interest of \$ and attorney's fees of \$ plus court costs.

[] Return of the property and damages of \$ for its detention in an action of replevin.

[X] Return of the property, or its value, plus damages of \$ for its detention in action of detinue.

[] Other: and demands judgment for relief.

Signature of Plaintiff/Attorney/Attorney Code

Telephone Number: 301-777-5823

APPLICATION AND AFFIDAVIT IN SUPPORT OF JUDGMENT

Attached hereto are the indicated documents which contain sufficient detail as to liability and damage to apprise the Defendant clearly of the claim against the Defendant, including the amount of any interest claimed.

- [] Property authenticated copy of any note, security agreement upon which claim is based [] Itemized statement of account [] Interest work
[] Vouchers [] Check [] Other written document [] Verified itemized repair bill or estimate

I HEREBY CERTIFY: That I am the [] Plaintiff [] of the Plaintiff herein and am competent to testify to the matters stated in this complaint, which are made on my personal knowledge; that there is justly due and owing by the Defendant to the Plaintiff the sum set forth in the Complaint.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above Complaint are true and I am competent to testify to these matters. [] The Defendant(s) [] is/are in the military service [] is/are not in the military service and the facts supporting this statement are:

[] I am unable to determine whether or not any Defendant is in military service.

Date

Signature of Affiant