

SCOTT KARL KOELKER,	§	§	IN THE 116 <sup>TH</sup> CIVIL DISTRICT COURT
PLAINTIFF,		§	FOR DALLAS COUNTY, STATE OF TEXAS
v.		§	
		§	CAUSE NO. 457-XA-0093832
RACHEL LEE KOELKER,	§	§	
DEFENDANT.		§	

**PLAINTIFF’S ORIGINAL COMPLAINT FOR CONVERSION**

COME NOW Scott Koelker, Plaintiff in the above styled cause, and hereby complains and for causes of action alleges as follows:

1. Plaintiff, Scott Koelker, is an individual, natural person, and at all times herein mentioned is and was a citizen of the State of Texas, now residing temporarily in the State of Missouri, being entitled to the same in comity with the Privileges and Immunities of citizenship.
2. Defendant, Rachel Koelker, is an individual, natural person, and at all times herein mentioned is and was a citizen of the State of Texas and resident of Dallas County.
3. The property being in Dallas County, venue be said proper in same County under their courts of competent jurisdiction.

FIRST CAUSE OF ACTION

(FOR CONVERSION AGAINST SCOTT KOELKER’S INTERESTS)

4. Plaintiff herein restates and incorporates by reference all of the forgoing numbered paragraphs in this cause of action.
5. At all times herein mentioned, and in particular on or about December 28, 2006, Plaintiff was entitled to, and still is entitled to, the possession of the personal property, to wit:

One Christmas ornament of a walnut half-shell with sleeping mouse inside, specifically covered by a green blanket with white polka-dots, including any related hanging string that may or may not be intact on said mouse-nut ornament.

6. On or about December 28, 2006, and at Dallas County, Texas, the above-mentioned property had a value of: said property, being unique has no monetary value that may be reasonably ascertained; or in the alternative, said property had a value of \$100.
7. On or about December 28, 2006, Plaintiff had said property held in trust for his personal use by a third-party, namely, his parents in Washington, D.C.
8. On or about December 28, 2006, Defendant took the above-mentioned property from Plaintiff's holder in trust's possession and converted the same to Defendant's own use, thereby depriving the Plaintiff of the enjoyment, benefits, and rights of ownership of said property.
9. The aforementioned acts of Defendant were willful, wanton, malicious, and oppressive, were undertaken with the intent to defraud, and justify the awarding of exemplary and punitive damages in the amount of \$500.

WHEREFORE, Plaintiff pray judgment against defendant and each of them, as follows:

10. For the appointment of a court receiver to obtain said property and return it to Plaintiff; and/or
11. For the reasonable value of the property, being interest at the legal rate on the foregoing sum, from and after December 28, 2006; and/or
12. For punitive and exemplary damages in the foregoing amount; and/or
13. For such other and further relief as the Court may deem proper and Plaintiff is entitled to.

Be it Prayed by Plaintiff and Justice be so, on this day, the 15<sup>th</sup> of January, in the year 2007,

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Plaintiff, Pro Se  
715 Lepere Apt. G  
St. Louis, MO 63132  
314.583.8324

**VERIFICATION**

I, Scott Koelker, am a Plaintiff in the above styled cause. I have read the foregoing complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed under my competent supervision on this day, the 15<sup>th</sup> of January, in the year 2007.

Be it said So,

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Plaintiff, Pro Se

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing was served upon Rachel Koelker by United States Mail, postage prepaid, this 15<sup>th</sup> day of January, in the year 2007.

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Plaintiff, Pro Se