

**CIRCUIT JUDGES**

Jeff W. Davis, Presiding Judge  
Wally Eklund  
Janine M. Kern  
Robert A. Mandel  
Craig A. Pfeifle  
Mary P. Thorstenson  
Thomas L. Trimble

**MAGISTRATE JUDGES**

Scott M. Bogue  
Heidi L. Linngren  
Shawn J. Pahlke

**CLERK OF COURTS**

Ranae Truman

July 18, 2012

James S. Steele Construction Co. Inc.  
2927 Evergreen Drive  
Rapid City, SD 57702

Claudia Douglas  
23735 Pine Haven Drive  
Rapid City, SD 57702

Re: James S. Steele Construction Co. Inc. v. Claudia Douglas  
Pennington County Small Claims File 12-1171

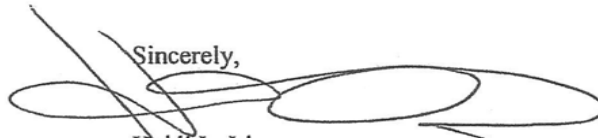
Greetings:

Upon extensive review of the file, the testimony presented on June 26, 2012 and all other evidence, photos and statements made by the parties, the court makes the following determination:

The court hereby denies the claim of James S. Steele Construction Co. Inc and grants Ms. Douglas' counterclaim in the full amount of \$2,670.00. The information provided by Mr. Steele does not support his claim for monies still owed. He refers to and relies on an "estimate" as a Contract. Nothing provided by Mr. Steele indicates a legally binding contract for the amounts he is requesting. Further, even by his own admission, his bill that was submitted is in error and done "hastily" as to not accurately reflect the work done or owed. The testimony presented to the court was that Mr. Steele was intending to help out a friend, Ms. Douglas during a difficult time. However, the work done was of no significant help to Ms. Douglas as it was done very poorly, often times not even close to the same colors for the repair. Based upon the estimates and the billing, it is clear that some of the items billed for were not completed. Although, Mr. Steele wants this court to determine that even if the items billed weren't actually done, there were enough items out there in the "estimate" to justify the same. This is not an effective or practical way to run a business or send out a billing. Therefore, the court denies the claim set forth by James Steele Construction Co Inc. in the amount of \$5,112.80. However, the court does determine based on the testimony and evidence presented that for the work done to Ms. Douglas' home, she in fact had overpaid Mr. Steele \$2,670.00 and that amount is due and owing to her.

Therefore, a Judgment against James S. Steele Construction Co. Incorporated will be entered affective today in the amount of \$2,670.00.

Sincerely,



Heidi L. Linngren  
Magistrate Judge  
Seventh Judicial Circuit