

IN THE CIRCUIT COURT OF JOHNSON COUNTY, ARKANSAS  
CIVIL DIVISION

Ken Skrien

PLAINTIFF

CASE NO. 36CV-24-165

v.

Todd Anthony Matyjasik  
Samantha Presley Matyjasik  
Abigail Johnson  
Faith Johnson

DEFENDANTS

MOTION FOR CONSTRUCTIVE SERVICE BY ELECTRONIC  
PUBLICATION

KEN SKRIEN ("Plaintiff"), pro se, pursuant to Arkansas Rule 4(g) (4), files this Motion for Constructive Service by Electronic Publication, and states as follows:

1. Plaintiff has diligently attempted to serve Todd Matyjasik, Samantha Matyjasik, Abigail Johnson and Faith Johnson ("Defendants") using traditional manners, including Certified Mail (EXHIBITS G and H) and publication of Warning Order (EXHIBIT I).

2. Plaintiff has also used multiple methods of digital communications to ensure Defendants are aware of the action against them. Such methods include posting documents filed with the Court at a Wordpress website hosted at the domain ToddLivedHere.com ("Website") and advising Defendants of such through SMS, mail and electronic mail at addresses known or believed to be associated with Defendants.

3. Shortly after posting the Original Complaint at the Website on August 28, 2024, an email address known to be associated with Samatha Matyjasik subscribed to the site (EXHIBIT J). Verification of email is required before Plaintiff, in his role as webmaster, is notified of subscription.

4. Plaintiff believes other electronic methods were also successful in notifying Defendants of action against them, however cannot document such. Due to the two step signup procedure, Defendants subscription to the aforementioned site on August 31, 2024 clearly documents awareness of the Complaint against them.

5. Continued postal delivery attempts to Defendants pursuant to traditional methods of service, will continue to fail. Defendants last known residential address, 1069 Highway 215 in Oark, AR remains vacant.



6. Certified Mail sent to Defendants at their last known residential address was returned undeliverable, with a forwarding address of PO Box 1 in Oark, AR. This PO Box is known by Plaintiff to be registered to the sister of Defendant Samantha Matyjasik, who resides at 1063 Highway 215 in Oark, AR. This property is Plaintiffs immediate neighbor, and shares the same driveway. As such Plaintiff is confident Defendants do not reside at this address and continued attempts using USPS Certified Mail with Restricted Delivery will fail.

7. Immediately prior to September 11, 2024 hearing Defendants left a message with the Johnson County Clerk of Courts which was read into the record by the Johnson County Sheriffs Office. According to this message, Defendant "lives two states away".

8. While Plaintiff disputes Defendants assertion that they found out about the Hearing the same morning, it is therefore highly unlikely that Defendant will see notifications in the Johnson County (AR) Graphic. Defendants unknown location thereby makes local print publication unproductive.

9. Arkansas Rules of Civil Procedure 4 (g)(4) explicitly states that this Court may order service by any method reasonably calculated to apprise the defendant of the action.

WHEREFORE Plaintiff requests the Court order that all Pleadings and other actions pertaining to this matter be henceforth published at the Website, and that timely posting of such shall constitute sufficient proof of service.



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PLAINTIFF

1072 Highway 215

Oark, AR 72852

(786) 548-2453

[legal+eviction.matyjasik@mettlevmiddle.com](mailto:legal+eviction.matyjasik@mettlevmiddle.com)



# EXHIBIT I

## Proof of Publication

STATE OF ARKANSAS  
COUNTY OF JOHNSON

In the Circuit Court of  
Johnson County, Arkansas,  
Civil Division  
Ken Skrien, Plaintiff, Case  
No. 36CV-24-165, V. Todd  
Anthony Matyjasik, Saman-  
tha Presley Matyjasik, Abi-  
gail Johnson, Faith Johnson,  
Defendants

### Warning Order

The defendants are hereby  
warned to appear in this  
court within 30 days from  
the date of first publication  
of this Order and answer the  
Complaint in Unlawful Re-  
tainer filed against them by  
the plaintiff.

Failure to file a written an-  
swer within 30 days may re-  
sult in an entry of judgment  
by default against you or  
otherwise bar you from an-  
swering or asserting any de-  
fense you have.

Witness my hand and seal  
as Clerk of the Circuit Court  
of Johnson County, Arkan-  
sas this 29 day of August,  
2024.

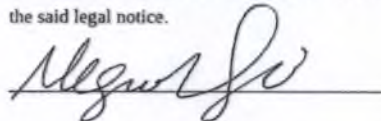
Monica King  
(Published in the *Johnson  
County Graphic* Sept. 11 and  
18, 2024).

I, Megan Wylie, Managing Editor of The  
Johnson County Graphic, a weekly newspaper  
published at Clarksville in the County of  
Johnson, State of Arkansas, solemnly swear that  
the legal notice of which the annexed is a true  
copy, was published in said newspaper 2  
times as follows:

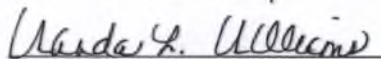
9-11-24

9-18-24

and that the said newspaper was published and  
had a bona fide circulation in Johnson County,  
Arkansas, for more than one year before the first  
insertion, and during the time of publication for  
the said legal notice.



Subscribed and sworn to before me  
this 19 day Sept., 2024



Cost of Publication: \$ 91.70 *paid*

My Commission Expires: 7-11-30

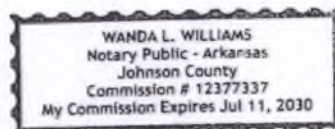


EXHIBIT J

W

WordPress.com

[samanthalives1974@gmail.com](#) subscribed to your site Todd Lived Here  
To: toddlivedhere@gmail.com

Site - Todd Lived Here    August 31, 2024 at 1:08 PM



New subscriber!



[samanthalives1974@gmail.com](#) just subscribed to [Todd Lived Here](#).  
They will receive an email every time you publish a post.

Want less email? Modify your [notification settings](#).