

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
19 CVS 8163

STEVEN MCRAE,)
)
 Plaintiff,)
)
 v.)
)
 KYLE RUSSELL CURTIS,)
)
 Defendant.)
)
)

DECLARATION OF BENJAMIN POTTS

I, Benjamin Potts, being duly sworn, state as follows:

1. I am over the age of 18 and am competent to make this affidavit.
2. My current address is 2543 Anna Garrison Road, Charlotte, North Carolina 28263.

I am the owner of the property.

3. I met the Defendant in this case, Kyle Russell Curtis, in or about June 2019.
4. When I met Mr. Curtis, he told me that he was living in an apartment in Greensboro but that his lease was coming to an end.

5. Since that time, Mr. Curtis has lived with his mother at 1532 Providence Church Road, Pleasant Garden, North Carolina 27313. To the best of my knowledge, he lives there now.

6. Mr. Curtis did stay at my home on numerous occasions, sometimes for extended periods of time, as much as a week or so. However, he did not live at my address on Anna Garrison Road in Charlotte.

7. I never authorized Mr. Curtis to state that my residence in Charlotte was his permanent address. I specifically told Mr. Curtis that he did not live at my address and that I would not sign a document saying that he did.

8. On June 18, 2020, Mr. Curtis sent me the following text message: "When I come Monday I need you to go with me to a notary and get a document signed saying that I lived at your address from dec-feb." I responded that it would be perjury, because Mr. Curtis had not lived with me and had not paid rent. A true and accurate copy of the text message exchange is attached as Exhibit A.

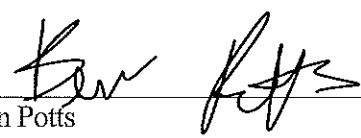
9. I never signed a lease with Mr. Curtis, and I never agreed to allow Mr. Curtis to live at my home in Charlotte.

10. Attached as Exhibit B is a copy of a document entitled "Rental Agreement (Month-To-Month)" that I understand Mr. Curtis has submitted to the Court. That document was not prepared by me. I did not sign that document. The signature purporting to be mine is a forgery.

11. Attached as Exhibit C is a document entitled "Affidavit of Residence" that I understand has also been submitted to the Court by Mr. Curtis. That document was not prepared by me. I did not sign that document. The signature purporting to be mine is a forgery.

Pursuant to Emergency Directive 5, I affirm, under penalties for perjury, that the foregoing representations are true.

This the 9th day of September, 2020


Benjamin Potts

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed with the North Carolina Business Court through its electronic filing system, which will cause a copy to be served electronically on all counsel of record listed below:

Scottie Forbes Lee
ELLIS & WINTERS LLP
PO Box 2752
Greensboro, NC 27402
Attorney for Defendant

This the 9th day of September, 2020.

REVOLUTION LAW GROUP

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