

FILED IN OFFICE

FEB 17 1970

JULIAN SWIFT
CLERK

BERTHA LOVETTO,

PLAINTIFF,)

VS.)

ETHEL B. MILES, et al,

DEFENDANTS.)

IN THE CIRCUIT COURT FOR
THE TENTH JUDICIAL CIRCUIT
OF ALABAMA

CASE NO. 26303

PLEA IN ABATEMENT

Come the Defendants, ETHEL B. MILES and CLEM HICKS, separately and severally, by and through their attorneys and appearing specially for the purpose of filing this plea in abatement and for no other purpose whatsoever and without submitting this defendant to the jurisdiction of this Court, aver that the motor vehicle collision made the basis of this suit occurred in Baldwin County, Alabama and that neither of the defendants are residents of Jefferson County, Alabama, the Defendant, ETHEL B. MILES residing in Baldwin County, Alabama, and the Defendant, CLEM HICKS, residing in the City of Milton, Florida, and that, therefore, this Honorable Court does not have jurisdiction of this cause and this cause was improperly filed in the Circuit Court for the Tenth Judicial Circuit of Alabama, and should be transferred to the Circuit Court of Baldwin County, Alabama.

WHEREFORE, PREMISES CONSIDERED, this defendant moves the Court to transfer this cause to the Circuit Court of Baldwin County, Alabama pursuant to the provisions of Title 7, Section 64(1) of the 1940 Code of Alabama.

RIVES, PETERSON, PETTUS, CONWAY & BURGE
Seventeenth Floor
Twenty-one Twenty-one Building
Birmingham, Alabama 35203
Telephone: 328-8141

By *Richard W. Peterson*
Attorneys for Defendants,
ETHEL B. MILES and CLEM HICKS

Microfilmed
FEB 25 1970

STATE OF ALABAMA)
(
JEFFERSON COUNTY)

Personally appeared before me, the undersigned au-
thority in and for said county in said state, Herbert W. Peterson,
who is known to me and being by me first duly sworn deposes and
says that he is attorney for the Defendants, Ethel B. Miles and
Clem Hicks, in the above styled cause and that the averments of
the above and foregoing plea in abatement are true and correct.

Herbert W. Peterson
Herbert W. Peterson

SWORN to and subscribed before
me, this 17th day of February, 1970.

Johnny A. Salentini
NOTARY PUBLIC

CERTIFICATE AS TO SERVICE

I, Herbert W. Peterson, hereby certify that a copy of
the above and foregoing Plea in Abatement has been served upon
Messrs. Hare, Wynn, Newell & Newton, City Federal Building,
Birmingham, Alabama, attorneys for plaintiff in the above styled
cause, by mailing a copy of the same to the office of said at-
torneys, properly addressed and postage prepaid, on this the
17 day of February, 1970.

Herbert W. Peterson
Of Counsel

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FEB 25 1970

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1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation and the second section deals with the progress of the work.

2. The second part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work and the second section deals with the conclusions.

3. The third part of the report deals with the conclusions of the work during the year. It is divided into two main sections: the first section deals with the conclusions and the second section deals with the recommendations.

4. The fourth part of the report deals with the recommendations of the work during the year. It is divided into two main sections: the first section deals with the recommendations and the second section deals with the conclusions.

CONCLUSIONS

The work during the year has been carried out in accordance with the plan and has resulted in the following conclusions: 1. The general situation of the country is satisfactory. 2. The progress of the work has been satisfactory. 3. The results of the work have been satisfactory. 4. The conclusions of the work are satisfactory.

The following recommendations are made: 1. The work should be continued in accordance with the plan. 2. The progress of the work should be maintained. 3. The results of the work should be improved. 4. The conclusions of the work should be maintained.

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Please serve Ethel B. Miles, (General Delivery) Robertsdale, Alabama

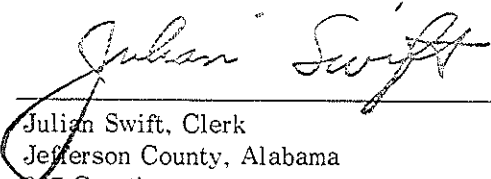
No. 26303
26304
26305
26306

Birmingham, Alabama Jan. 29, 19 70

To the Sheriff Baldwin County,
Bay Minette, Alabama

I enclose herewith a legal process to be served by you. Please serve and return direct to me. Claim any fee you may have directly under your return, and upon collection I will remit to you.

Please serve and return as early as possible.



Julian Swift, Clerk
Jefferson County, Alabama
307 Courthouse
Birmingham, Alabama 35203

(If not found in your county please advise promptly, giving information as to present location, if possible.)

No. 26323

This is a Branch of the original suit and all the summons constitute one suit, and are for one and the same cause of action.

Witness my hand, this 9 day of Jan., 19 70.

Julian Swift
Circuit Clerk

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OR 103