

DORIS B. NEWBURN,
Plaintiff

VS:

ROBERT LEROY ZECH AND DECHANT AND ZECH,
A FOREIGN CORPORATION AND ALAQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN
CORPORATION, AND ALBUQUERQUE MOTOR
TRANSPORT, INC., A FOREIGN CORPORATION;
AND JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE OTHERWISE
UNKNOWN TO THE PLAINTIFF AT THIS TIME,
BUT WHOSE CORRECT NAMES WILL BE FURNISHED
IMMEDIATELY UPON BEING KNOWN BY THE PLAINTIFF,
Defendants.

* IN THE CIRCUIT
*
* COURT OF BALDWIN
*
* COUNTY, ALABAMA,
*
* AT LAW
*
* CASE NO. 5249
*
*

COUNT ONE

The Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS as damages for that heretofore on, to-wit, August 20, 1961, Plaintiff was operating her vehicle automobile along and upon a public highway namely U.S. Highway 90 at or near the intersection of Magnolia Street at or near the town of Loxley, in the County of Baldwin, State of Alabama where she had a right to be, and while said automobile was being operated and driven along said U. S. Highway 90 a vehicle truck which was being driven by the Defendant, as agent, servant, or employee, ROBERT LEROY ZECH, while such agent, servant, or employee was acting in the line and scope of his employment, as such agent, servant, or employee, ran upon, over or against the automobile of the Plaintiff, causing great damages and injuries to the Plaintiff's automobile, to-wit: the top, back and side of said automobile, tires and tubes, and other parts of Plaintiff's automobile was broken, bent, smashed or otherwise damaged and injured, all to the damage of the Plaintiff as aforesaid, The Plaintiff alleges that her said damages to her said automobile were proximately caused by the negligence of the Defendant, in that he negligently caused, allowed or permitted said vehicle to run upon, over or against the automobile of the Plaintiff and as a proximate consequence thereof, the Plaintiff's automobile was damaged and injured as aforesaid.

COUNT TWO

Plaintiff claims of the Defendant FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, for that on, to-wit: August 20, 1961, the

Defendant negligently drove an motor vehicle into an automobile in which the Plaintiff was riding on a public highway, namely U.S. Highway 90 at or near the intersection of Magnolia Street, at or near the town of Loxley, in the County of Baldwin, State of Alabama, where the Plaintiff had a right to be, and as a proximate result of said negligence on the part of the Defendant, the Plaintiff was seriously injured and damaged, and was caused to suffer great pain and suffering and contusions about the body, and damage to Plaintiff's cervical spin and lumbar spine, and the Plaintiff incurred large expenses by way of doctor bills and medicine, and hospital bills, and was made sick and sore for a long period of time, and Plaintiff's physical stamina was impaired and permanently impaired, Plaintiff was caused to suffer great physical pain and mental anguish, was put to much trouble and annoyance, inconvenience, and loss of time in and about an effort to heal and cure Plaintiffs said wounds and injuries, and Plaintiff will continue in the future to suffer great pain and medical bills, and was caused to lose a great deal of time from the business and employment of the Plaintiff, all to the damage of the Plaintiff as aforesaid.

COUNT THREE

The Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages for that heretofore on, to-wit, August 20, 1961, the Plaintiff was riding in an automobile along and upon a public highway namely U. S. Highway 90 at or near the intersection of Magnolia Street at or near the town of Loxley, in the County of Baldwin, State of Alabama, where the Plaintiff had a right to be, and while said automobile was being operated and driven along said U. S. Highway 90 a vehicle truck which was being driven by the Defendant, his agent, servant, or

employee acting within the line and scop of his employment, as such agent or servant or employee at said time and place, wantonly ran the said motor vehicle against the said automobile in which the Plaintiff was riding as aforesaid, and as a proximate consequence thereof, Plaintiff was injured and damaged in that said vehicle in which the Plaintiff was riding was damaged, bent, broken, and smashed or otherwise damaged and injured, all to the damage of the Plaintiff as aforesaid.

And Plaintiff avers that the Defendant, his agent or servant or employee, acting within the line and scope of his employment as such agent, servant, or employee, at the said time and place, wantonly injured Plaintiff by wantonly running a motor vehicle of the Defendant against the said automobile in which Plaintiff was riding at said time and place, and as a proximate consequence of said wanton conduct, Plaintiff avers that Plaintiff was caused to sustain, and did sustain, the injuries and damages complained of and set out herein, all to the damage of the Plaintiff.

COUNT FOUR

The Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages for that hereotfore on, to-wit, August 20, 1961, the Plaintiff was riding in an automobile along and upon a public highway namely U. S. Highway 90 at or near the intersection of Magnolia Street at or near the town of Loxley, in the County of Baldwin, State of Alabama, where the Plaintiff had a right to be, and while said automobile was being operated and driven along said U. S. Highway 90 a vehicle truck which was being driven by the Defendant, his agent or servant or employee, acting within the line and scope of his employment, as such agent or servant or employee at said time and place, wantonly rant the said motor vehicle against the said automobile in which the Plaintiff was riding as aforesaid, and as a proximate consequence thereof, Plaintiff was seriously injured and damaged and was caused to

suffer great pain and suffering and contusions about the body and damage to Plaintiff's cervical spine and lumbar spine, and the Plaintiff incurred large expense by way of doctor's bills and medicine, and hospital bills and was made sick and sore for a long period of time, Plaintiff physical stamina was impaired and permanently impaired, Plaintiff was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure Plaintiffs' said wounds and injuries.

Ane Plaintiff avers that the Defendant, his agent or servant or employee, acting within the line and scope of his employment as such agent, servant, or employee, at the said time and place, wantonly injured Plaintiffs by wantonly running a motor vehicle of the Defendant against the said automobile in which Plaintiff was riding at said time and place, and as a proximate consequence of said wanton conduct Plaintiff avers that Plaintiff was caused to sustain, and did sustain, the injuries and damages complained of and set out herein, all to the damage of the Plaintiff.

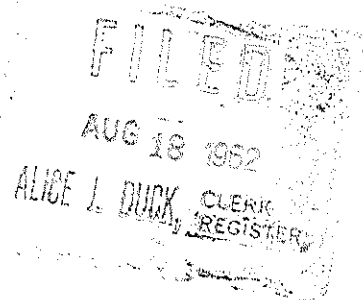
STRICKLAND AND ZOGHBY
ATTORNEYS FOR PLAINTIFF

BY 
Michael E. Zoghby

The Plaintiff respectfully request a trial by Jury.


Michael E. Zoghby

The Defendants may be served by service upon the Secretary of State State of Alabama, Montgomery, Alabama.



DORIS B. NEWBURN,
Plaintiff

VS:

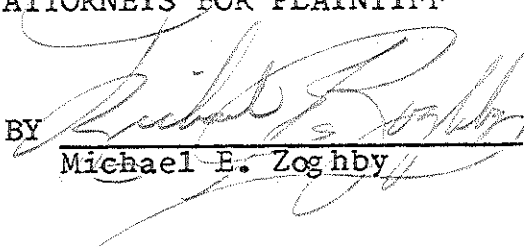
ROBERT LEROY ZECH AND DECHANT AND ZECH,
A FOREIGN CORPORATION AND ALAQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN
CORPORATION, AND ALBUQUERQUE MOTOR
TRANSPORT, INC, A FOREIGN CORPORATION;
AND JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE OTHERWISE
UNKNOWN TO THE PLAINTIFF AT THIS TIME,
BUT WHOSE CORRECT NAMES WILL BE FURNISHED
IMMEDIATELY UPON BEING KNOWN BY THE PLAINTIFF,
Defendants.

*
* IN THE CIRCUIT
*
* COURT OF BALDWIN
*
* COUNTY, ALABAMA,
*
* AT LAW
*
* CASE NO. _____
*

Comes now, the Plaintiff, by and through her attorney
STRICKLAND AND ZOGHBY and hereby upon information and belief,
avers that the Defendant ROBERT LEROY ZECH resides at 7220
Allen Drive, Denver, Colorado; that the Defendant ALBUQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN CORPORATION, whose address
is Denver, Colorado, is and was, on the date of the said collision,
to-wit, the 20th day of August, 1961, a non-resident of the State
of Alabama, and the Plaintiff prays that the service of process
upon the Defendant ROBERT LEROY ZECH and ALBUQUERQUE MOTOR
TRANSPORT, INC., A FOREIGN CORPORATION, may be had in accordance
with the provision of Code of Alabama, 1940, Title 7, Section 199.

STRICKLAND AND ZOGHBY
ATTORNEYS FOR PLAINTIFF

BY


Michael E. Zoghby

Subscribed and sworn to
before me, on this 17th
day of August, 1962.


The Plaintiff respectfully request a trial by Jury.

5249

Doris B. Newburn

vs.

Robert Leroy Zech
et al



FILED
1964
JAN 14
CLERK

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 5249

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Robert Leroy Zech and Albuquerque Motor Transport, Inc.,
et al

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the
Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Robert Leroy Zech, and
Albuquerque Motor Transport, Inc., et al, Defendant.

by Doris B. Newburn

Plaintiff.

Witness my hand this 20th day of August 19 62

Exp - 8-22-62

Alice J. [Signature] Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

DORIS B. NEWBURN

Plaintiffs

vs.

ROBERT LEROY ZECH, and ALBUQUERQUE

MOTOR TAXI TRANSPORT, INC., E T AL
Defendants

SUMMONS and COMPLAINT

Filed **August 20,** 19 **62**

Alice J. Duck, Clerk

STRICKLAND & ZOGHBY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

1563

RECEIVED IN OFFICE
RECEIVED IN OFFICE

AUG 22 1962

19

Sheriff

I have executed this summons

this

19

by leaving a copy with

Executed by serving 6 copies of
the within on Betty Frank
Secretary of State of The State of
Alabama.

This the 22 day of Aug 19 62

Sheriff of Montgomery County

M. S. Butler,

By Butler D. S.

The Sheriff claims 2

miles at 10c per mile for a total

of \$ 20

M. S. Butler, Sheriff
Montgomery County, Ala.

Sheriff

Deputy Sheriff

8/20/62

September 11, 1962

DORIS B. NEWBURN, Plaintiff
 VS
 ROBERT LEROY ZECH, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA, AT LAW

CASE NO. 5249

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW:

I, Bettye Frink, Secretary of State, hereby certify that on August 22, 1962
 I sent by registered mail in an envelope addressed as follows:

" Robert Leroy Zech
 7220 Allen Drive
 Denver, Colorado"

"Registered Mail—
 Return Receipt Requested
 Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

" Robert Leroy Zech
 7220 Allen Drive
 Denver, Colorado

You will take notice that on August 22, 1962 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: DORIS B. NEWBURN, Plaintiff VS ROBERT LEROY ZECH, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
 Case No. 5249 a true copy of which summons and complaint is attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 22
 day of August 1962

Enclosure (1)

(Signed) Bettye Frink
 Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on Aug 30 1962 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Denver, Colo.
 on Aug 27 1962 Chaffee Sta.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 11 day
 of September 1962

Bettye Frink

Bettye Frink
 Secretary of State

Enclosures: Return Receipt Card and copy
 of Summons and Complaint.

cc: Hon. Michael E. Zoghby
 Strickland and Zoghby
 Attorneys at Law
 d/o Circuit Court of Baldwin County
 Bay Minette, Ala.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 5249

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Robert Leroy Zech and Albuquerque Motor Transport, Inc.,

et al

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the
Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Robert Leroy Zech and
Albuquerque Motor Transport, Inc., et al, Defendant.

by Doris B. Newburn

Plaintiff

Witness my hand this 20th day of August 1962

W. J. Luck, Clerk

DORIS B. NEWBURN,
Plaintiff

VS:

ROBERT LEROY ZECH AND DECHANT AND ZECH,
A FOREIGN CORPORATION AND ALAQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN
CORPORATION, AND ALBUQUERQUE MOTOR
TRANSPORT, INC., A FOREIGN CORPORATION;
AND JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE OTHERWISE
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Defendants.

* IN THE CIRCUIT
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* AT LAW
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COUNT ONE

The Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS as damages for that heretofore on, to-wit, August 20, 1961, Plaintiff was operating her vehicle automobile along and upon a public highway namely U.S. Highway 90 at or near the intersection of Magnolia Street at or near the town of Loxley, in the County of Baldwin, State of Alabama where she had a right to be, and while said automobile was being operated and driven along said U. S. Highway 90 a vehicle truck which was being driven by the Defendant, as agent, servant, or employee, ROBERT LEROY ZECH, while such agent, servant, or employee was acting in the line and scope of his employment, as such agent, servant, or employee, ran upon, over or against the automobile of the Plaintiff, causing great damages and injuries to the Plaintiff's automobile, to-wit: the top, back and side of said automobile, tires and tubes, and other parts of Plaintiff's automobile was broken, bent, smashed or otherwise damaged and injured, all to the damage of the Plaintiff as aforesaid. The Plaintiff alleges that her said damages to her said automobile were proximately caused by the negligence of the Defendant, in that he negligently caused, allowed or permitted said vehicle to run upon, over or against the automobile of the Plaintiff and as a proximate consequence thereof, the Plaintiff's automobile was damaged and injured as aforesaid.

COUNT TWO

Plaintiff claims of the Defendant FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, for that on, to-wit: August 20, 1961, the

Defendant negligently drove an motor vehicle into an automobile in which the Plaintiff was riding on a public highway, namely U.S. Highway 90 at or near the intersection of Magnolia Street, at or near the town of Loxley, in the County of Baldwin, State of Alabama, where the Plaintiff had a right to be, and as a proximate result of said negligence on the part of the Defendant, the Plaintiff was seriously injured and damaged, and was caused to suffer great pain and suffering and contusions about the body, and damage to Plaintiff's cervical spin and lumbar spine, and the Plaintiff incurred large expenses by way of doctor bills and medicine, and hospital bills, and was made sick and sore for a long period of time, and Plaintiff's physical stamina was impaired and permanently impaired, Plaintiff was caused to suffer great physical pain and mental anguish, was put to much trouble and annoyance, inconvenience, and loss of time in and about an effort to heal and cure Plaintiffs said wounds and injuries, and Plaintiff will continue in the future to suffer great pain and medical bills, and was caused to lose a great deal of time from the business and employment of the Plaintiff, all to the damage of the Plaintiff as aforesaid.

COUNT THREE

The Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages for that heretofore on, to-wit, August 20, 1961, the Plaintiff was riding in an automobile along and upon a public highway namely U. S. Highway 90 at or near the intersection of Magnolia Street at or near the town of Loxley, in the County of Baldwin, State of Alabama, where the Plaintiff had a right to be, and while said automobile was being operated and driven along said U. S. Highway 90 a vehicle truck which was being driven by the Defendant, his agent, servant, or

employee acting within the line and scop of his employment, as such agent or servant or employee at said time and place, wantonly ran the said motor vehicle against the said automobile in which the Plaintiff was riding as aforesaid, and as a proximate consequence thereof, Plaintiff was injured and damaged in that said vehicle in which the Plaintiff was riding was damaged, bent, broken, and smashed or otherwise damaged and injured, all to the damage of the Plaintiff as aforesaid.

And Plaintiff avers that the Defendant, his agent or servant or employee, acting within the line and scope of his employment as such agent, servant, or employee, at the said time and place, wantonly injured Plaintiff by wantonly running a motor vehicle of the Defendant against the said automobile in which Plaintiff was riding at said time and place, and as a proximate consequence of said wanton conduct, Plaintiff avers that Plaintiff was caused to sustain, and did sustain, the injuries and damages complained of and set out herein, all to the damage of the Plaintiff.

COUNT FOUR

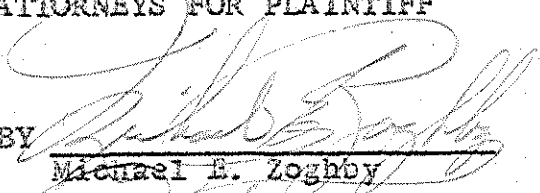
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suffer great pain and suffering and contusions about the body and damage to Plaintiff's cervical spine and lumbar spine, and the Plaintiff incurred large expense by way of doctor's bills and medicine, and hospital bills and was made sick and sore for a long period of time, Plaintiff physical stamina was impaired and permanently impaired, Plaintiff was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure Plaintiffs' said wounds and injuries.

Ane Plaintiff avers that the Defendant, his agent or servant or employee, acting within the line and scope of his employment as such agent, servant, or employee, at the said time and place, wantonly injured Plaintiffs by wantonly running a motor vehicle of the Defendant against the said automobile in which Plaintiff was riding at said time and place, and as a proximate consequence of said wanton conduct Plaintiff avers that Plaintiff was caused to sustain, and did sustain, the injuries and damages complained of and set out herein, all to the damage of the Plaintiff.

STRICKLAND AND ZOGHEY
ATTORNEYS FOR PLAINTIFF

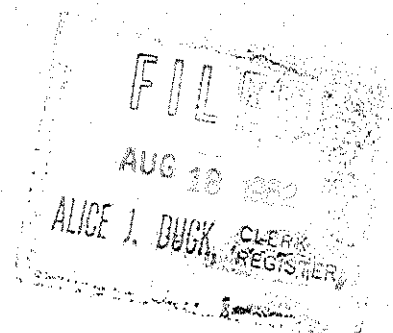
BY

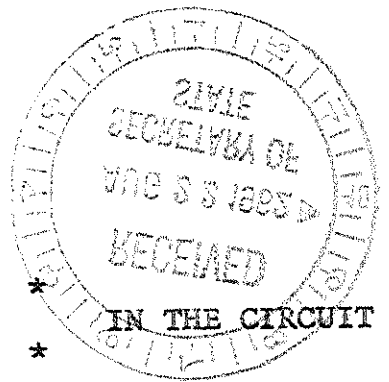

Michael E. Zoghby

The Plaintiff respectfully request a trial by Jury.


Michael E. Zoghby

The Defendants may be served by service upon the Secretary of State State of Alabama, Montgomery, Alabama.





DORIS B. NEWBURN,
Plaintiff

VS:

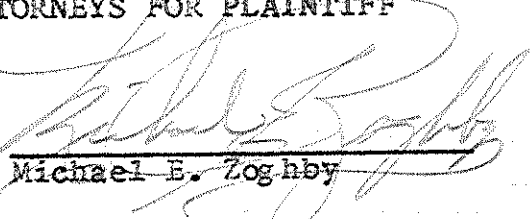
ROBERT LEROY ZECH AND DECHANT AND ZECH,
A FOREIGN CORPORATION AND ALAQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN
CORPORATION, AND ALBUQUERQUE MOTOR
TRANSPORT, INC, A FOREIGN CORPORATION;
AND JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE OTHERWISE
UNKNOWN TO THE PLAINTIFF AT THIS TIME,
BUT WHOSE CORRECT NAMES WILL BE FURNISHED
IMMEDIATELY UPON BEING KNOWN BY THE PLAINTIFF,
Defendants.

*
*
* COURT OF BALDWIN
*
* COUNTY, ALABAMA,
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* AT LAW
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* CASE NO. _____
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Comes now, the Plaintiff, by and through her attorney
STRICKLAND AND ZOGHBY and hereby upon information and belief,
avers that the Defendant ROBERT LEROY ZECH resides at 7220
Allen Drive, Denver, Colorado; that the Defendant ALBUQUERQUE
MOTOR TRANSPORT, INC., A FOREIGN CORPORATION, whose address
is Denver, Colorado, is and was, on the date of the said collision,
to-wit, the 20th day of August, 1961, a non-resident of the State
of Alabama, and the Plaintiff prays that the service of process
upon the Defendant ROBERT LEROY ZECH and ALBUQUERQUE MOTOR
TRANSPORT, INC., A FOREIGN CORPORATION, may be had in accordance
with the provision of Code of Alabama, 1940, Title 7, Section 199.

STRICKLAND AND ZOGHBY
ATTORNEYS FOR PLAINTIFF

BY


Michael E. Zoghby

Subscribed and sworn to
before me, on this 17th
day of August, 1962.


The Plaintiff respectfully request a trial by Jury.

FILED

AUG 18 1962

ALICE J. DUCK, CLERK
REGISTER

IN THE UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DORIS B. NEWBURN,

Plaintiff,

vs.

ROBERT LEROY ZECH AND DECHANT
AND ZECH, A FOREIGN CORPORATION,
AND ALAQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION,
AND ALBUQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION; AND
JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE
OTHERWISE UNKNOWN TO THE
PLAINTIFF AT THIS TIME, BUT WHOSE
NAMES WILL BE FURNISHED IM-
MEDIATELY UPON BEING KNOWN BY
THE PLAINTIFF,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW - CASE NO. 5249

To: Honorable Alice J. Duck
Clerk of the Circuit Court of Baldwin County
Courthouse
Bay Minette, Alabama

Pursuant to the provisions of law in such cases made and provided, we are hereby filing with you a copy of the petition of Robert Leroy Zech, one of the Defendants in the above styled cause, to remove said cause to the United States District Court for the Southern Division of the Southern District of Alabama. Also enclosed herewith is a copy of the bond filed with said petition in said United States Court, which bond with good and sufficient surety is conditioned as is required by law, and we are also enclosing herewith a copy of the certificate made and filed by the undersigned in said United States Court, certifying that on the 13th day of September, 1962, we gave written notice of the filing of said petition for removal of said cause to the attorney for the Plaintiff in said cause and of the fact that on the 13th day of September, 1962, we filed a copy of said petition with you.

DATED, this 13th day of September, 1962.

MCCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

BY

Ray J. Howard
Attorneys for the Defendant, Robert
Leroy Zech.

IN THE UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

DORIS B. NEWBURN,

Plaintiff,

vs.

ROBERT LEROY ZECH AND DECHANT
AND ZECH, A FOREIGN CORPORATION,
AND ALAQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION,
AND ALBUQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION: AND
JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE
OTHERWISE UNKNOWN TO THE
PLAINTIFF AT THIS TIME, BUT WHOSE
NAMES WILL BE FURNISHED IM-
MEDIATELY UPON BEING KNOWN BY
THE PLAINTIFF,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW-CASE NO. 5249

PETITION FOR REMOVAL OF CIVIL ACTION FROM THE
CIRCUIT COURT OF BALDWIN COUNTY IN THE STATE
OF ALABAMA TO THE DISTRICT COURT OF THE UNITED
STATES FOR THE SOUTHERN DISTRICT OF ALABAMA,
SOUTHERN DIVISION

TO THE HONORABLE DANIEL H. THOMAS, JUDGE OF SAID DISTRICT COURT OF
THE UNITED STATES:

Now comes your Petitioner, Robert Leroy Zech, one of the
Defendants in the above styled cause and respectfully shows unto
Your Honor as follows:

ONE

That a civil action has been brought and is now pending
in the Circuit Court of Baldwin County in the State of Alabama,
a State Court, wherein Doris B. Newburn is Plaintiff and your
Petitioner is the only party defendant upon whom service of process
has been effected.

TWO

That your Petitioner is informed and believes, and based
upon such information and belief, avers that all named parties
defendant interested in this cause are either residents of one

of the states of the United States other than the State of Alabama or that they are non-existent, and that all of the parties defendant which are named in the Complaint are residents of a state of the United States other than the State of Alabama.

THREE

That said action is a civil action of which the District Courts of the United States have original jurisdiction in that said action seeks to recover damages occasioned by alleged negligence on the part of your Petitioner.

FOUR

That according to the best knowledge, information and belief of your Petitioner the controversy out of which this cause arose is wholly between citizens of different states in that your Petitioner, Robert Leroy Zech, was at the time of the commencement of this action and still is a citizen of the State of Colorado, his home address being 7220 Alan Drive, Denver, Colorado, whereas, the Plaintiff at said time was and still is a resident of Mobile County, Alabama, and all other interested parties defendant are non-residents of the State of Alabama.

FIVE

That the matter or amount in controversy in said action, both at the time of the commencement of said action and at the present time, exceeds the sum or value of \$10,000.00, exclusive of interest and costs.

SIX

That said action was commenced in the Circuit Court of Baldwin County in the State of Alabama on, to-wit, the 20th day of August, 1962, and process therein was served on your Petitioner Robert Leroy Zech, on the 27th day of August, 1962.

SEVEN

Your Petitioner presents herewith a bond, conditioned upon his paying the costs and disbursements incurred by reason of these removal proceedings should it be determined that this action was not removable or was improperly removed.

WHEREFORE, your Petitioner, Robert Leroy Zech, prays that said bond filed herewith be accepted as good and sufficient surety and that this Honorable Court will enter such other orders as shall be meet and proper in the premises.

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

BY Alex T. Howard, Jr.
Attorneys for Petitioner, Robert
Leroy Zech.

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, Myrtle J. Jaullian a Notary Public in and for said County in said State, personally appeared Alex T. Howard, Jr., who being duly sworn, deposes and says that he is one of the attorneys for the Petitioner in the above styled cause, that he has read the foregoing Petition which is based upon information furnished by the Petitioner, that he believes the facts contained in said Petition to be true and, based upon such information and belief, states that the facts contained in said Petition are all and singularly true; that the Petitioner is absent from and is a non-resident of the Southern District of Alabama and that affiant makes this affidavit because of the fact that the Petitioner is absent from and is a non-resident of said Southern District of Alabama.

Alex T. Howard, Jr.
(Affiant)

Subscribed and sworn to before me on
this 13th day of September, 1962.

Myrtle J. Jaullian
Notary Public, Mobile County, Alabama.

IN THE UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

DORIS B. NEWBURN,

Plaintiff,

vs.

ROBERT LEROY ZECH AND DECHANT
AND ZECH, A FOREIGN CORPORATION,
AND ALAQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION,
AND ALBUQUERQUE MOTOR TRANSPORT,
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OTHERWISE UNKNOWN TO THE
PLAINTIFF AT THIS TIME, BUT WHOSE
NAMES WILL BE FURNISHED IM-
MEDIATELY UPON BEING KNOWN BY
THE PLAINTIFF,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW - CASE NO. 5249

To: Honorable Michael E. Zoghby
Strickland and Zoghby
Attorneys at Law
Van Antwerp Building
Mobile, Alabama

Attorneys for Plaintiff

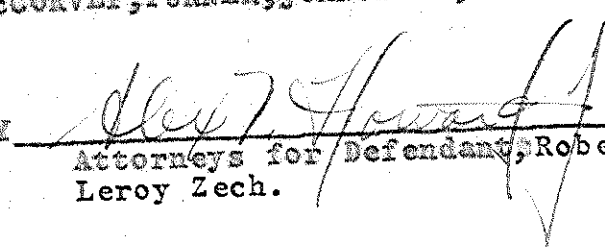
Please take notice that Robert Leroy Zech, one of the Defendants in the above styled cause, has on this 13th day of September, 1962, filed his petition in the United States District Court for the Southern District of Alabama, Southern Division, to remove the above styled action to said United States Court, a copy of said petition being attached hereto, and that said Defendant has this day filed in said United States District Court a bond with good and sufficient surety conditioned as is provided by law with respect to such proceedings. You are hereby further notified that a copy of said petition is today being filed with Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, wherein said cause is now pending, all of which shall effect the removal of said cause from said Circuit Court to said United States District Court.

This said notice is given to you as attorney for the
Plaintiff in said cause in compliance with the provisions of
Section 1446 of Title 28, United States Code Annotated.

DATED, this 13th day of September, 1962.

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

BY


Attorneys for Defendant, Robert
Leroy Zech.

COUNTY OF MOBILE

The condition of this bond is such that:

NOW, THEREFORE, if said petitioner shall pay or cause to be paid all costs and disbursements incurred by reason of this said removal proceeding should it be determined that this action was wrongfully or improperly removed to said United States Court, then this obligation shall be void, otherwise, it shall remain in full force and effect.

ROBERT LEROY ZECH

NATIONAL SURETY CORPORATION

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

DORIS B. NEWBURN,

Plaintiff,

vs.

ROBERT LEROY ZECH AND DECHANT
AND ZECH, A FOREIGN CORPORATION,
AND ALAQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION,
AND ALBUQUERQUE MOTOR TRANSPORT,
INC., A FOREIGN CORPORATION; AND
JOHN DOE AND RICHARD ROE AND XYZ,
A CORPORATION WHOSE NAMES ARE
OTHERWISE UNKNOWN TO THE
PLAINTIFF AT THIS TIME, BUT WHOSE
NAMES WILL BE FURNISHED IM-
MEDIATELY UPON BEING KNOWN BY
THE PLAINTIFF,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW - NO. 5249

C E R T I F I C A T E

Before me, Myrtle J. Jullian, a Notary
Public in Mobile County, Alabama, personally appeared Alex T. Howard,
Jr., who being duly sworn, deposes and says that he is one of the
attorneys of record for Robert Leroy Zech, one of the Defendants
in the above styled cause; that promptly after the filing in said
cause of the Petition for the removal of said case together with the
requisite bond, he forthwith on the 13th day of September, 1962,
gave written notice of the filing thereof to the adverse party in
said cause by having delivered to his office a copy of such written
notice, a copy of which is hereto attached, together with a copy
of said removal Petition, and that on said 13th day of September,
1962, a copy of said Petition together with the written notice to
the Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin
County, Alabama, of the filing thereof, a copy of which notice is
hereto attached, was filed with said Clerk of said Court wherein
said action originally was pending.

DATED, this 13th day of September, 1962.

Subscribed and sworn to
before me this 13th day of
September, 1962.

Myrtle J. Jullian
Notary Public, Mobile County, Alabama.

Alex T. Howard, Jr.
One of the Attorneys for the Defendant,
Robert Leroy Zech.

DORIS B. NEWBURN VS. ROBERT LEROY ZECH, et al

#1 - INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee ☐ Show address where returned 5249
Additional charges required for these services

RETURN RECEIPT

Received the numbered article described on other side

SIGNATURE OR NAME OF ADDRESSEE (with initials if desired)

Robert Leroy Zech

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE WHEN NO ADDRESS

RECEIVED
AUG 27 1967
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

ADDRESS WHERE DELIVERED (if different from item #1)



GSF-1677-1041-4-1 GPO

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UNITED STATES DEPARTMENT OF COMMERCE

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PLACE ON ENVELOPE OR ATTACH TO
BACK OF ARTICLE. PRINT
REGISTER REQUESTED.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

SECRETARY OF STATE
CITY MONTGOMERY, ALABAMA

INSURED NO.

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27
1962
CHIEF STA.

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