STANDARD COFFEE COMPANY, INC., I a Corporation,

IN THE CIRCUIT COURT OF

Plaintiff,

vs.

BALDWIN COUNTY, ALABAMA,

R.P. BYRNE,

Defendant.

AT LAW

NO. 5287

## ANSWER

Now comes the Defendant, by his attorney, and for answer to the Bill of Complaint pleads:

I. Not guilty.

2. The differd and elemis payment of this account by Now comes the Defendant, by his attorney, and for further answer by way of set off and recoupment pleads as follows:

- 1. The Defendant claims of the Plaintiff \$420.21 due from it by account on the 15th day of July, 1961, which sum of money with interest thereon is still unpaid.
- 2. The Defendant claims of the Plaintiff the sum of \$420.21 due from it for work and labor done for the Plaintiff by the Defendant on the 15th day of July, 1961, and for several months prior thereto, at its request, which sum of money with interest thereon is still unpaid.

Attorney for the Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared R.P. Byrne, who being duly sworn, did depose and say as follows:

That his name is R.P. Byrne and that he is the Defendant in the above styled cause; that he denies liability for any part of the account filed in this cause by the Plaintiff; that he does not have any information as to the correctness of the amount claimed by the Plaintiff in the cause, but he does deny that he is liable for any part thereof.

- RMBym

Sworn to and subscribed before me, this the // day of October, 1962.

FILED

OCT 48 1962

ARE L DUCK, CLERK REGISTER

4 VOL 63 PAGE 881

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

AT LAW NO. 5287

STANDARD COFFEE COMPANY, INC., a Corporation,

Plaintiff,

VS.

R.P. BYRNE,

Defendant.

ANSWER

\*\*\*\*\*\*\*\*\*\*

OCT TR 1985

WICE T DICK Greek
BEGISTER

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

Dahlberg Building

BAY MINETTE, ALABAMA

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon R. P. Byrne to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Standard Coffee Company, Inc., a corporation.

Witness my hand, this the 20 day of Sept. 1962.

CLERK Cleich-Luck

STANDARD COFFEE COMPANY, INC., a Corporation

Plaintiff

VS

R. P. BYRNE

Defendant

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

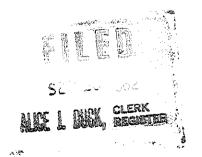
AT LAW

NUMBER: 5287

Plaintiff claims of the Defendant THREE-HUNDRED, FORTY-SEVEN and FIFTY-FOUR ONE-HUNDREDTHS (\$347.54) DOLLARS, due from him by account on the 15th day of July, 1961 which sum of money with interest thereon, is still unpaid.

Attorney for Plaintiff

Plaintiff sues by verified itemized statement of account which statement is verified by affidavit and filed herewith.



Attorney/for Plaintiff

Received 2 day of 1962
and on 2 day of 1962
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By service on\_\_\_\_\_



TAYLOR WILKINS Sheriff
By W. le falley D. S.

NUMBER: 5287

STANDARD COFFEE COMPANY, INC., a Corporation

Plaintiff

V

R. P. BYRNE Z Dine Drane Defendant

IN THE CIRCUTI COURT
BALDWIN COUNTY, ALABAMA
AT LAW

SEP 20. 1982

ALICE I DUCK, CLERK

SUMMONS & COMPLAINT

STANDARD COFFEE COMPANY, INC., I a Corporation,

IN THE CIRCUIT COURT OF

Plaintiff,

vs.

BALDWIN COUNTY, ALABAMA,

R.P. BYRNE.

Defendant.

AT LAW

NO. 5287

Now comes the Defendant and Cross-Complainant, R.P. Byrne, by his attorney, and moves this Honorable Court to require the Standard Coffee Company, Inc., a Corporation, to produce the originals of the following described papers and documents and alleges that such are under the control or are in the possession of the Standard Coffee Company, Inc., and are necessary as evidence in this cause:

- 1. Auditor's Report of the Bay Minette, Alabama Branch dated July 17th, 1961.
- 2. Auditor's Report of the Bay Minette, Alabama Branch dated June 29th, 1961.
- 3. Accompanying schedules such as inventory sheets, excess credit lists and other pertinent lists referred to in Auditor's Report dated 6/29/61.
  - 4. Premiums and merchandise transfer forms as follows:

No. 3846 No. 40252 No. 40414 No. 3849 No. 40251 No. 40418 No. 40419 No. 40412 No. 22545 No. 42151 No. 22544 No. 69719 No. 69720 No. 39350 No. 39340 No. 69527 No. 39340 No. 69527

Attorney for the Defendant

STATE OF ALABAMA BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who being duly sworn, did depose and say as follows:

That he is attorney of record for R.P. Byrne and that he has read over the allegations of the foregoing motion and that the statements therein contained are true and correct.

Laura Du en &

Sworn to and subscribed before me this the day of February, 1963.

Joseph Mallic

FEB 2 1963 ALGEL DOK, CLERK REGISTER



IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

AT LAW NO. 5287

STANDARD COFFEE COMPANY, INC., a Corporation,

Plaintiff,

R.P. BYRNE.

Defendant.

MOTION

FILED
FEB 2 1963
FI DICK CLERK REGISTER

J. CONNOR OWENS, JR.
ATTORNEY AT LAW
Dahlborg Building

BAY MINETTE, ALABAMA

STANDARD COFFEE COMPANY, INC., & a Corporation

Plaintiff

٧S

R. P. BYRNE

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5287

Defendant

• - • - • - •

TO: Honorable J. Connor Owens, Jr., Attorney for R. P. Byrne.

Please take notice that Plaintiff, Standard Coffee

Company, Inc., a Corporation will take the testimony, on oral

examination of R. P. Byrne before Louise J. Dusenbury, Court

Reporter for the Circuit Court of Baldwin County, Alabama on

the Andrew day of February, 1963 at 2:00 P.M. o'clock,

and thereof from day to day as the taking of the deposition

maybe adjourned, at the office of the Circuit Judge of Baldwin

County, at which time and place you are notified to appear

and take such part in the examination as you maybe advised and

as shall be fit and proper, and according to Title 7, Section

171 et seq.

FILED

FEB 5 1963

ALICE I. DUNK, CLERK REGISTER

Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY:

5287

Clerk of the Circuit Cour Baldwin County, Alabama

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TAYLOR WILKINS, Sherift.

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STANDARD COFFEE COMPANY, A CORPORATION

PLAINTIFF

VS

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

AT LAW

R. P. BYRNE

EENDANT

DEFENDANT

TO HONORABLE ALICE J. DUCK, CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

NO:

5287

Whereas, in the above entitled cause the Standard Coffee Company, a Corporation recovered a judgement against the said R. P. Byrne for the sum of \$382.34 besides the cost of the said cause; and, whereas execution was issued on said judgement, and thereafter the said execution was returned by the Sheriff of Baldwin County, Alabama with the endorsement thereon "No Property Found" and said judgement remains unpaid and unsatisfied.

Now therefore, this is to request you as Clerk of the said Court to issue a notice to said R. P. Byrne requiring him to file in the Circuit Court of said County, within 30 days from the service of said notice, a state in writing, under oath, of all the assets of the said R. P. Byrne including money, choses in action, bonds and accounts, and all other property, real, personal or mixed, or any interest therein, with a detailed description of the same, location and reasonable value of each item thereof, together with detailed statement of all liens, mortgages or incumbrances thereon, showing the amounts and owner or holder of such liens, mortgages or encumbrances.

THE SAID R. P. BYRNE RESIDES AT BALDWIN COUNTY, ALABAMA.

DATED THIS 4T DAY OF JANUARY, 1968.

ATTORNEY FOR PLAINTIFF

FLED

JAN 1 0 1968

ALICE J. DUCK CLERK REGISTER

WAR AND NOTICE OF DISCOVERY OF ASSETS

STANDARD COFFEE COMPANY, A CORP. IN THE CIRCUIT COURT OF Plaintiff vs: BALDWIN COUNTY, ALABAMA R. P. BYRNE Defendant AT LAW, CASE NO. 5287NOTICE TO DEFENDANT TO: Take notice that upon the written request of Wilson Hayes Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages. Be governed accordingly. Dated this 10th day of January 19 68. Baldwin County, Alabama. STATE OF ALABAMA IN THE CIRCUIT COURT OF

COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA --GREETING:

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon R. P. Byrne \_\_\_Defendant, and make due return thereon, according

to law.

Witness my hand this the 10thday of January

Clerk, Circuit Court of Baldwin County, Alabama

LLEUE

JAN 1 0 1968

ANTENN MATRIME

By service on about

TAYLOR WILKINS Sheriff

By Raylel D. 7.

Sheriff claims 54 miles at Ten Cents per mile Total 55 TAYLOR WILKINS, Sheriff BY BOUT SHERIFF

m. 5287

Standard Coffee Co.

)5:

R. F. Byrne

windayes

STANDARD COFFEE COMPANY, IN THE CIRCUIT COURT OF Plaintiff, Ĭ BALDWIN COUNTY, ALABAMA

> Vs. AT LAW

R. P. BYRNE.

Defendant. Ĭ NUMBER: 5287

# MOTION FOR WRIT OF DISCOVERY

TO THE HONORABLE ALICE J. DUCK, CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Whereas, in the above styled cause the Plaintiff recovered a judgment against the said Defendant, R. P. Byrne on the 27th day of February, 1963, for the sum of \$382.34 besides the cost of said cause; whereas execution was issued on the said judgment against the said R. P. Byrne, and thereafter the said execution was returned by the Sheriff of Baldwin County, Alabama with the endorsement thereon "No Property Found" and the said judgment remains unpaid and unsatisfied.

NOW THEREFORE, this is to request you as Clerk of said Court to issue a notice to the said R. P. Byrne requiring him to file in the Circuit Court of said County, within 30 days from the service of said notice, a statement in writing, under oath, of all of the assets of the said R. P. Byrne including money, choses in action, bonds and accounts, and all other property, real, personal or mixed or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of all liens, mortgages or encumbrances thereon, showing the amounts due upon each, and owner or holder of such liens, mortgages or encumbrances.

The said R. P. Byrne resides at Route 1, Daphne in the County of <u>Baldwin</u>, State of Alabama.

Dated this <u>9th</u> day of <u>October</u>

Attorney for/Plaintiff

Wilson Hayes

OCT 9 1970

STANDARD COFFEE COMPANY, IN THE CIRCUIT COURT OF Ĭ

> BALDWIN COUNTY, ALABAMA Plaintiff. 7

AT LAW Vs.

R. P. BYRNE,

Defendant. NUMBER: 5287

### WRIT OF DISCOVERY

TO: R. P. BYRNE

Take notice, that, whereas the Plaintiff in the above entitled cause has requested in writing, the undersigned, as Clerk of said Court to issue notice to you as Defendant in the above entitled cause and in the judgment therein, requiring you to file the statement in writing under oath of all your assets, as provided in the Act of the Legislature of Alabama, approved September 28, 1915, "to provide for the discovery of assets of judgment debtors, and to facilitate the enforcement or collection of judgments in courts of law and equity in this State," and has filed said request, in writing, in this cause endorsed "no property found" by the Sheriff of Baldwin County, and that you reside in the State of Alabama.

Now therefore, you, the said R. P. Byrne are hereby required, within 30 days from the service hereof, to file in this Court a statement, in writing, under oath, of all your assets, including money, choses in action, notes, bonds and accounts, and all other property, real, personal or mixed, or any interests therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement, of any and all lends, mortgages or encumbrances thereon.

Witness my hand this

\_\_ day of

TO ANY SHERIFF IN THE STATE OF ALABAMA: Greetings.

You are hereby commanded to serve the foregoing notice upon the above named R. P. Byrne and make due return of your said service and of this notice.

Shoriff claims 54 miles of 40

Jan Cants por mile Total \$5 40

JAYLOR WILMIS. Sheriff

DEPUTY SHERIFF

Standard Coppe lo.

R. P. Beynnes
Ponderoza 54

Writ

W. Hayes

Mayeline, ala 5287 Mar. 5, 1990

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ALCE J. DICK CLERK REGISTER

IN THE CIRCUIT COURT OF STANDARD COFFEE COMPANY, Ŏ Q BALDWIN COUNTY, ALABAMA Plaintiff, Vs. AT LAW R. P. BYRNE,

Defendant. NUMBER: 5287

### MOTION TO REQUIRE ORAL EXAMINATION

Comes now Wilson Hayes, Attorney of record for the Judgment Creditor in the above styled cause and files herein this, his affidavit, stating that a Writ of Discovery was issued out of this Court in this cause and that Defendant did file herein his statement according to the Writ and that the said statement by the Judgment Debtor, namely R. P. Byrne, does not contain a full, true and correct statement and description of his assets as required by the law made and provided, Title 7, Section 903 et seq, Alabama Code 1940 as amended and

Plaintiff does hereby move the Court to make and enter an Order requiring the said Judgment Debtor, R. P. Byrne to be and appear before this Court on a day to be set by the Court, then and there to submit to oral examination, under oath, touching the nature, location, description and value of such assets and all his assets, and that notice of such setting be served on the said R. P. Byrne.

Respectfully submitted.

Wilson Hayes

Attorney of Record

STATE OF ALABAMA BALDWIN COUNTY

Before me, Mary C. Stiers, this day personally appeared Wilson Hayes, who is known to me and who being by me first duly sworn to speak the truth, deposes and says he has read the foregoing instrument and knows the facts therein stated are true to the best of his knowledge, information and belief.

Wilson Hayes

Sworn to and subscribed before me this the 5th day of

December, 1970.

Mary C. Stiers

Mary C. Stiers, Notary Public Commission expires: 1-9-74

· VOL 63 PAGE 891

STANDARD COFFEE COMPANY, IN THE CIRCUIT COURT OF Plaintiff, BALDWIN COUNTY, ALABAMA

Vs. ≬ AT LAW

R. P. BYRNE,

Defendant. 

✓ NUMBER: 5287

### ORDER FOR ORAL EXAMINATION OF DEBTOR

In this cause came Plaintiff by his Attorney, Wilson Hayes, and filed herein Affidavit, duly verified, stating that the statement of Defendant, the said Judgement Debtor, R. P. Byrne, did not contain a full, true and correct statement and description of his assets as required by Title 7, Section 903 et seq, Code of Alabama 1940, as amended, and praying the Court to require the Defendant, Judgment Debtor, R. P. Byrne, to be and appear before this Court at a time and place to be set by this Court and to then and there be examined, under oath, touching the nature, location, description and value of his assets, it is therefore

ORDERED, ADJUDGED and DECREED that R. P. Byrne be and appear before this Court at 1:00 o'clock, A.M. on the day of 0, 1970, then and there to submit to oral examination, under oath, touching the nature, location, description and value of his assets and to that end produce all such papers, documents or books which may contain material evidence of such assets.

It is further ORDERED that a copy of this notice be served forthwith on the said R. P. Byrne.

Done this 8th day of December, 1970.

Telfahr J. Mashburn, Judge Circuit Court, Baldwin County Alabama

DEC 8 1970

ANGE J. DUCK CLERK REGISTER

P. Burne

Number: 5287

Standard Coffee Company,

Plaintiff,

Vs.

R. P. Byrne,

Defendant.

In the Circuit Court of Baldwin County, Alabama At Law

Defendant may be found:

Route 1 Daphne, Alabama

E

STANDARD COFFEE COMPANY, IN THE CIRCUIT COURT OF
Plaintiff, BALDWIN COUNTY, ALABAMA
Vs. AT LAW
R. P. BYRNE,
Defendant.

NUMBER: 5287

### WRIT OF DISCHARGE

This being the day set for the taking of testimony of R. P. Byrne as made and provided under the Statutes allowing for Discovery of Assets and

Defendant, R. P. Byrne, appearing in his own proper person and giving testimony in this cause as to his property, monies, choses in action, debts and all other matters asked of him and such answers being given in open court under oath, and the same being considered, the Court does

ORDER that the Defendant be, and he hereby is discharged of the Writ hereinbefore filed in this cause.

Done this 21st day of December, 1970.

Telfair J. Mashburn, Judge Circuit Court, At Law Baldwin County, Alabama

Filod 12-21-70 Elice D. Duck. Clerk

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		Signature	1971	AMOUNT DUE THIS AUDIT	<u>n) \</u> /		2	91
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# OUTION COFFEE COMPANY INCORPORATED 640 MAGAZINE STREET · NEW ORLEANS 6, LOUISIANA · TULANE 6131

O: Mr. R. P. Byrne	DATE: 8/22/61
That Ex	INVOICE NO.:

QUAN.	DESCRIPTION	UNIT P	RICE	TOTAL AN	TNUO
udit /29/61	Bay Minette, Ala.		ALL AND		4 4 1
	Net merchandise not accounted for Unauth. mdse. bal. collected after audit Overage allowed Paid auditor Commission w/e 7/l according to sales and	505 486	1	188	
audit	expense reported by routeman Commission w/e 7/8 according to sales and expense reported by routeman				46 27
7/15/61	Net merchandise not accounted for Commission w/e 7/15 according to sales and expense reported by routeman Cash Bond Interest on cash bond	12	91	233	84 14 71
garage of extended laboratory (Same)		1004	78	657	24
	Balance due us	347	54		
			or ages 40° a		

Form #1028-5M-8/60

### WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA 36507

October 9, 1970

TELEPHONE 937-5506

Mrs. Alice J. Duck, Clerk Circuit Court

Baldwin County
Bay Minette, Alabama 36507

Re: Case #5287

Dear Mrs. Duck:

Enclosed is a Motion for Writ of Discovery in the above referenced case.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms Enc.

### WILSON HAYES

LAWIER

P. O. BOX 300

BAY MINETTE, ALABAMA

26607

TELEPHONE 937-5506

December 5, 1970

Clerk, Circuit Court Baldwin County

Bay Minette, Alabama

na 36507

Re: Standard Coffee Company Vs. R. P. Byrne, Case #5287

Dear Eunice:

Enclosed is a Motion to Require Oral Examination. Please file and have it set for hearing. I have enclosed an extra copy of the order and if you will conform it, I would be obliged.

With kind regards, I am

Yours very truly,

11/1/5/5/5

Wilson Hayes

WH/ms Enc.

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# STANDARD COFFEE COMPANY, INC. GENERAL OFFICES NEW ORLEANS 6. U. S. A. Mobile ala Mobil

Thanks Murphy

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# CREDIT MEMO

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