

JOHN KUKLO, d/b/a
KUKLO'S STANDARD STATION

PLAINTIFF

vs

FRED ELLIS,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6382

1.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED FIVE AND 95/100 DOLLARS (\$105.95), due from him by account on the 22nd day of December, 1964, which sum of money with the interest thereon, is still unpaid.

FILED

FEB 4 1965

ALICE J. DUCK, CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT

By: W. L. Nesbit

Attorney's for Plaintiff

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No.-----

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

FRED ELLIS

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-----

FRED ELLIS

-----, Defendant-----

by-----

JOHN KUKLO d/b/a KUKLO'S STANDARD STATION

-----, Plaintiff-----

Witness my hand this-----

----- day of-----

19⁶⁵

-----, Clerk

67-2-12-65

Ellisville
No. 6383 Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

JOHN KUKLO d/b/a

KUKLO'S STANDARD STATION

Plaintiffs

vs.

FRED ELLIS

Defendants

Summons and Complaint

Filed _____ 19____

FILED
FEB 4 1965

ALICE J. DICK
CLERK
REGISTER

Clerk

WILTERS, BRANTLEY AND NESBIT

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at colored--
check with Kuklo for address

RECEIVED
Received in Office

FEB 4 1965 19____

TAYLOR WILKINS, Sheriff
SHERIFF

I have executed this summons

this 17 Feb 1965

by leaving a copy with

Fred Ellis

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff
BY *Charles Childers*
DEPUTY SHERIFF

James Wilkerson Sheriff

Charles Childers Deputy Sheriff

Loyley

STATE OF ALABAMA,
BALDWIN COUNTY

§
CIRCUIT COURT OF BALDWIN COUNTY ALABAMA
§

6383 1/2

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, At a regular Term, 1965 of the Circuit Court of Baldwin County, to-wit: On the 20th day of May, 1965, being a regular day of said term, JOHN KUKLO, d/b/a

KUKLO'S STANDARD STATION

recovered judgment against FRED ELLIS

for the sum of ONE HUNDRED EIGHT AND NO/100 DOLLARS (\$108.00)

and cost of suit, and affidavit having been made by

PHYLLIS S. NESBIT, Attorney for the Plaintiff

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons

or corporation, viz: A. V. LAZZARI & SON

has or is believed to have in their possession, or under their

control money or effects belonging to said defendant FRED ELLIS

or that they are believed to be indebted to said defendant

FRED ELLIS or to be liable to him, on a contract for the

delivery of personal property, or on a contract for the payment of

money which may be discharged by the delivery of personal property or

which is payable in personal property.

YOU ARE THEREFORE HEREBY COMMANDED TO SUMMON

A. V. LAZZARI & SON

to be and appear before the Honorable the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, on the

Monday of, 1965, within thirty days after

service of this writ of garnishment then and there, to answer on oath,

whether at the time of the service of the garnishment, or at the time

making their answer, or at any time intervening the time of serving

the garnishment and making the answer they were indebted to said

defendant FRED ELLIS and whether they will not be indebted in future

to said defendant FRED ELLIS by a contract then existing, and whether

by a contract then existing they are liable to said defendant for the

delivery of personal property, or for the payment of money which may be

discharged by the delivery of personal property, or which is payable
in personal property, and whether they having in their possession
or under their control money or effects belonging to the defendant

FRED ELLIS

Herein fail not, and have you then and there this Writ.

WITNESS, Alice J. Duck, Clerk of said Court, this 4 day of
Nov., 1965.

ISSUED _____ day of _____ A.D. 1965.

ATTEST:

Alice J. Duck
Clerk

64-11-4-65

Case No. 8 6383 1/2

John Kaklo, d/b/a.

vs.

Fred Ellis.

FILED

NOV 4 1965

ALICE J. DUCK, CLERK
REGISTER

Serve - A.V. Lazzari & Son
Loxley.

Walters, Brantley & Nesbitt.

Received 4 Nov 1965
and on 6 day of Nov 65
I served a copy of this writ
on A. V. Lazzari & Son
Garn.

By service on

TAYLOR WILKINS, Sheriff

By W. D. Garner D. S.

Loxley

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY W. D. Garner
DEPUTY SHERIFF

THE STATE OF ALABAMA
Baldwin County

6383 1/2
Circuit Court

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State
aforesaid PHYLLIS S. NESBIT

who being duly sworn, on oath says, that a regular Term

of the Circuit Court of Baldwin County, to-wit: on the 20th day of May

19 65 JOHN KUKLO, d/b/a KUKLO'S STANDARD STATION

recovered a judgment against FRED ELLIS

..... for the sum of

ONE HUNDRED EIGHT AND NO/100 DOLLARS (\$108.00) Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

..... A. V. LAZZARI & SON

supposed to be indebted to or have effects of the said FRED ELLIS

in their possession, or under their Control, and that she believes process of

Garnishment against said

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this day of

..... A. D. 1965

..... Clerk.

Phyllis S. Nesbit

STATE OF ALABAMA

Baldwin County

TO FRED ELLIS....., Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

JOHN KUKLO, d/b/a KUKLO'S STANDARD STATION....., Plaintiff.....
versus FRED ELLIS....., Defendant.....,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

A. V. LAZZARI & SON
.....

have... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 4.....day of Nov......, 1965Alice J. Duck
Clerk of the Circuit Court.

370

64-11-6-65

Loxley
TAYLOR WILKINS, Sheriff
By *W. L. Loxley*
D. S.

By service on

on

at

day of

Received

4 day of *Nov* 19*63*
6 day of *Nov* 19*63*
Fred Ellis
John Kuklo

DEPUTY SHERIFF

BY

TAYLOR WILKINS, Sheriff

Sheriff claims *40* miles at
Ten Cents per mile Total \$ *4.00*

6382 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

JOHN KUKLO, d/b/a

KUKLO'S STANDARD SERVICE

Plaintiff.....

VS.

FRED ELLIS

Defendant.....

serve: Fred Ellis
Loxley

WitHers, Brantley & Nesbit

JOHN KUKLO, doing business as	X		
KUKLO STANDARD STATION,			
	X		
Plaintiff,		IN THE CIRCUIT COURT OF	
	X		
vs.			
	X	BALDWIN COUNTY, ALABAMA	
FRED ELLIS,			
	X		
Defendant,		AT LAW	NO. 6383 1/2
	X		
A. V. LAZZARI & SON,			
	X		
Garnishee.			
	X		

ANSWER OF GARNISHEE

Comes now A. V. Lazzari & Son, the Garnishee in the above styled cause and for answer to the garnishment served on it in this case on November 6, 1965, says:

That at the time of the service of said writ of garnishment and that at the time of making this answer the Defendant was indebted to the Garnishee; and that the Garnishee does not have in its possession or under its control any money or effects belonging to the Defendant and it is not indebted to him or liable to him on any contract for the delivery of any personal property or on any contract for the payment of money which may be discharged by the delivery of personal property or which is payable in personal property.

Having fully answered said garnishment, said Garnishee prays to be dismissed with his reasonable cost for making his answer.

A. V. LAZZARI & SON

By: Louis H. Lazzari

FILED
NOV 8 1965
ALICE L. DICK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Louis H. Lazzari, a partner of A. V. Lazzari & Son, and after being by me first duly and legally sworn did depose and say under oath as follows:

My name is Louis H. Lazzari and I am a partner of A. V. Lazzari & Son, a partnership. I have read the foregoing answer and the same is true and correct.

Louis H. Lazzari

Sworn to and subscribed before me

this 9th day of November,

1965.

John Earle Chason
Notary Public, Baldwin County, Alabama