JURY

VS. Suit for \$1500.00 damages to automobile

DONALD F. PIERCE P.O. Box 123 Mobile, Alabama 36601 LAWRENCE PHILLION

PLEADINGS, PROCESS, ETC

1. Complaint and Summons

COMPLAINT AND SUMMONS served on Defendant on June 15, 1965.

2. Plea in Abatement

July 13, 1965 - Plea in Abatement sustained as to venue, and cause ordered transferred to Baldwin County, Alabama, pursuant to Title 7, Section 64(1). /s/ JOSEPH M. HOCKLANDER

(32-188)

Judge.

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court In witness whereof I have hereunto set my hand and attached my official seal as such Clerk of said Court at Mobile, Mobile County, Alabama, on thes the 13th day of July

1. COMPLAINT AND SUMMONS AND SHERIFF'S RETURN OF SERVICE THEREON

DELLA GOLDEN, : IN THE CIRCUIT COURT OF

Plaintiff : MOBILE COUNTY, ALABAMA

VS : AT LAW

LAWRENCE PHILLION, : CASE NO. /6227

Defendant :

The plaintiff claims of the defendant the sum of FIFTEEN HUNDRED (\$1,500.00) DOLLARS as damages for that heretofore and on to-wit February 13, 1965 while the plaintiff's automobile was parked on U. S. Highway 90 in front of the truck stop on the Bay Bridge Causeway, a public highway in Baldwin County, Alabama, the defendant so negligently operated an automobile on and along U. S. Highway 90 at the time and place mentioned that it ran into the rear of the plaintiff's automobile mashing it in and otherwise damaging it; and the plaintiff states that her automobile was used in and about her business and as a direct and proximate result of such negligence she has lost the use thereof over a considerable period of time.

HARRY SEALÉ, Attorney for Plaintiff

The plaintiff demands that this case be tried by jury.

HARRY SEALE, Attorney for Plaintiff

Defendant's address is 502 Lake Forrest Blvd., Daphne, Ala.

STATE OF ALA. MODILE CO. I CERTIFY THIS PLEADING WAS FILED ON

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Jan Mandrelle

THE STATE OF ALABAMA MOBILE COUNTY

To Any Sheriff of the State of Alabama:

CIRCUIT COURT

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CIR	CUIT MOBILE (URT
DEL	LA GOLDEN	•	
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vs.	Complain	t and Sum	mons
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Issued	9th day of	June	, 19_65
Defendan	t's Address		
502	Lake Forr	est Blv	rd•
Dapl	nne, Ala.		

HARRY SEALE
Plaintiff's Attorney

2. PLEA IN ABATEMENT

DELLA GOLDEN,)	IN THE CIRCUIT COURT OF
Plaintiff)	MOBILE COUNTY, ALABAMA
vs.)	AT LAW
LAWRENCE PHILLION,)	
Defendant.)	CASE NO. 16227-H.

PLEA IN ABATEMENT

Comes now the defendant in the above-styled cause and appears solely and specially for the purpose of filing the following Plea in Abatement and for no other purpose, and pleading in abatement, said defendant avers as follows:

1. The venue of this action is not proper in the Circuit Court of Mobile County, Alabama, in that the venue of said action should be in the Circuit Court of Baldwin County, Alabama, in that the accident which is the basis of this suit occurred on U. S. Highway 90 on the Bay Bridge Causeway, a public highway in Baldwin County, Alabama, according to the allegations of the complaint, and the defendant Lawrence Pillion herein designated as Lawrence Phillion is and was at the time of said accident, a resident of Baldwin County, Alabama; hence, the venue of this action is improper in the Circuit Court of Mobile County, Alabama, said proper venue being in the Circuit Court of Baldwin County, Alabama.

WHEREFORE, the premises considered, this Plea in

Abatement should be granted and this defendant allowed his costs for the making of same.

Trial Attorney for Defendant

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

STATE OF ALABAMA: COUNTY OF Mahile

Personally appeared before me the undersigned Notary Public in and for said County in said State, Lawrence Pillion, defendant in the above-styled cause, and who, after first being duly sworn, doth depose and say that the facts contained in the foregoing Plea in Abatement are true and correct.

Daurence Villian Lawrence Pillion

Sworn and subscribed to before me on this, the 2/day of ______, 1965.

Notary Public, makile County, Alabama

CONTROL OF SERVICE

> STATE OF ALA. MOBILE CO. I CERTIFY THIS PLEADING WAS FILED ON

Jun 22 4 31 PM 765

KAMAZILA CLERK

TUESDAY, JULY 18, 1965

DELLA GOLDEN

PLEA IN ABATEMENT SUSTAINED

AS TO VENUE, AND CAUSE ORDERED

TRANSFERRED TO BALDWIN COUNTY,

ALABAMA, PURSUANT TO TITLE 7,

SECTION 64(1)

LAWRENCE PHILLION

In open Court on this day; It is ordered and adjudged by the Court that the Plea in Abatement filed by defendant on June 22, 1965, in this cause be, and the same is hereby sustained as to venue, and cause ordered transferred to Baldwin County, Alabama, pursuant to Title 7, Section 64(1).

Minute Book 32

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CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

No 16227	DELLA GOLDEN		n	laintiff
Vo. <u>+5227</u>		370		läimmi
		VS.		
	LAWRENCE PHILLION		D-t	L
			Dere	endant

(Act No. 740, Reg. Session Ala. Legislature 1957 Appvd. Sept. 20, 1957) (Amend Sec. 21, Title 11, Code Ala. 1940)

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955) (Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Pltff.	Deft.	SHERIFF'S FEES	Pltff.	Deft.
Suits for \$100 or less \$	3:00		mileage \$4.60 Serving Summons & Complaint \$1.50	6.10	
Suits for over \$100 but less			Serving Writ of Garnishment		
than \$1,000 10	00		Serving Sci FaNotices 1.50		
			Levying Attachment & Return 6.25		
Suits for \$1,000 and over 20			Executing Writ Possession 5.00	-11 11	
Suits in detinue, ejectment, etc 10	.00		Seizing personal property under Writ of Detinue 6.00		
Suits not otherwise provided 10	.00		Serving subpoenas, each		
Writs, Mandamus, Prohibition, etc 15	.00		Impanelling Jury75		
ppeals from Court General			Taking & Approving Bond 2.00		
Sessions15	00		Collecting Costs Execution 1.50		
			Serving Contempt Writ 1.50		
appeals from Probate Court 20	.00		Making Deed for Property sold 2.50		
appeals from JP Courts	00		Commission, collecting money on executions, 1st \$200 5%;		
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Safety, and other State			\$		
Agencies 10.	oo		Total\$	6.10	
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			Advertisement 1.50		
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