

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

MARY M. DAVIS,)
PLAINTIFF)
VS.)
LIVERNE C. COX &) CASE NO. 6935
CHARLENE O. COX, jointly)
& Individually,)
DEFENDANTS.)

TO THE HONORABLE CIRCUIT JUDGES OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

Now comes the Plaintiff in the above-entitled cause and
shows unto the Court as follows:

1. That the Plaintiff on the Judgment obtained in this
Court, called Case No. 6935, on the 21st day of July 1966, for
the sum of \$2300.00, plus \$41.60 Costs of Court Costs, against
the above named LIVERNE C. COX and HARLENE O. COX, jointly and
individually as Defendants; that said Judgment contained a
Waiver of Exemption as to personality, and that no payment has
been made on the said Judgment since the date of its rendition,
and that the said Judgment remains unpaid and unsatisfied.

2. That original execution having been issued on the 21st
day of January 1969 and returned, "no property found" on the
22nd day of February 1974, due to the fact that Defendants were
non-residents of the State of Alabama.

WHEREFORE, Plaintiff prays that a Writ of Scire Facias issue
out of this Court, requiring the Defendants to show cause, if
any, within thirty (30) days after service of such Writ, why
said Judgment should not be in all things revived and execution
issued on the same, and that upon the hearing of this Petition,
if no legal reason be shown why said Judgment should not be
revived, an order reviving the same be entered with provisions
for execution.


DUCK & KOPESKY, ATTORNEY FOR PLAINTIFF

NOTE: CHARLENE O. COX
may be served at
Williard Ryals
Builders & Construction
Co. Spanish Fort, Alabama

FILED

FEB 3 1977

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS

Moore Prtg - Bay Minette, Alabama

MARY M. DAVIS

Plaintiff

Vs.

LUVERNE C. COX & CHARLENE O. COX,

Jointly & Individually

Defendant

Circuit Court, Baldwin County Alabama

Civil Action No.6935.....

.....19.....

To Any Sheriff or any person authorized by Rule 4 (a) (3) of the Alabama Rules of Civil Procedure to effect service in the State of Alabama:

You are hereby commanded to serve this summons and a copy of the complaint in this action upon defendant LUVERNE C. COX & CHARLENE O. COX,

Each defendant is required to serve a copy of a written answer to the complaint upon _____

John V. Duck, attorney of record for the plaintiff whose address is

P. O. Drawer Y - Fairhope, Alabama 36532 within thirty (30) days after service of this summons excluding the day of service of the summons and to file the original of said written answer with the Clerk of this Court at the time of service of the answer upon the attorney of record for the Plaintiff or within a reasonable time thereafter. If any defendant fails to do so, a judgment by default may be entered against that defendant for the relief complained of in the complaint.

Date / Feb. 3, 1977

Gunnice B. Blackman
Clerk of Circuit Court

Civil Action No.....6935.....

STATE OF ALABAMA
Baldwin County

Circuit Court

MARY M. DAVIS

Plaintiffs

vs.

LUVERNE C. COX & CHARLENE O. COX

Defendants

SUMMONS

Filed Feb. 3, 1977

Eunice B. Blackmon Clerk

Duck & Kopesky

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

5, P Smithfort

Received In Office

FEB 7 1977

19.....

Sheriff

THOMAS H. BENTON
I have executed this summons

this 2-11 1977
by leaving a copy with

Luverne C. Cox

Charlene O. Cox

Sheriff Claimed 14 Miles At
Fourteen Cents Per Mile Total \$ 6.16
THOMAS H. BENTON, SHERIFF
H. Hall D. S.

Thomas Benton Sheriff

H. Hall Deputy Sheriff

A

SPEED LETTER

JOHN V. DUCK
~~DUCK & LACEY~~
Attorneys at Law
P. O. DRAWER A-J - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck

Bay Minette, Ala.

DATE

DATE July 14, 1966

Re: Davis vs. Cox. Civil Case No. 6935

Dear Mrs. Duck:

Enclosed you will find the original note
in the above styled cause. Would you please
request the Judge to enter a Default Judgment
in the amount of \$2,400.00 representing
\$2,000.00 principal with no interest plus
a \$400.00 attorneys fee.

Sincerely,

SIGNED

John V. Duck
(24)

SIGNED

FILED

JUL 13 1966

FILED BY CLERK
REGISTER

JOHN V. DUCK
~~DUCK & LACEY~~
Attorneys at Law
P. O. DRAWER A-J - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Ala.

DATE April 12, 1966

Re: Mary M. Davis vs. Laverne C. Cox

Dear Mrs. Duck:

Enclosed please find Bill of Complaint to
be filed together with copies of same and
Summons to be served.

Sincerely,

John V. Duck

DATE

MEMO-LETTER

JOHN V. DUCK
RON E. KOPESKY
Attorneys at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA 36532
928-2191

MESSAGE

REPLY

TO

Mrs Essie Blackman

DATE

DATE

2-1-77

Please find papers
to be filed on
Case # 6935. If
you have questions,
please call me.
Duck.
Please have
mess Cox send.

SIGNED

JK.

SIGNED

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

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 SummonLAVERNE C. COX and CHARLENE O. COX.....

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.....

.....LAVERNE C. COX and CHARLENE O. COX, jointly & individually, Defendant..S..

byMARY M. DAVIS.....

....., Plaintiff.....

Witness my hand this.....14.....day of.....April.....1966.....

.....Clerk

EX-5-14-66
EX-5-16-66

No. 6935

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MARY M. DAVIS,

Plaintiffs

vs.

LAVERNE C. COX and CHARLENE O.
COX, jointly & Ind. Defendants

SUMMONS AND COMPLAINT

Filed 14 MAY 1966 19.....

..... Clerk

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Rosinton, Alabama

RECEIVED
Received In Office

APR 14 1966 19.....

TAYLOR WILKINS, Sheriff

SHERIFF
I have executed this summons

this 19.....

by leaving a copy with

Charlene Cox - 5-14-66

Laverne C. Cox 5-18-66

Sheriff claims 136 miles at

Ten Cents per mile Total \$ 13.60

TAYLOR WILKINS, Sheriff

BY Carlisle Childers
DEPUTY SHERIFF

Taylor Wilkins, Sheriff

C. Childers Deputy Sheriff

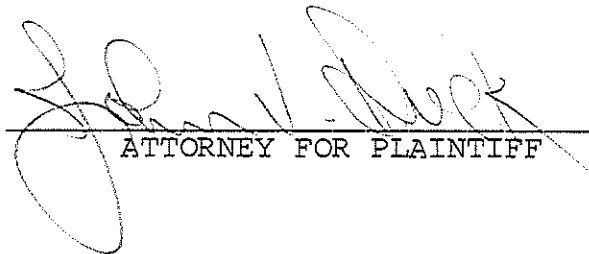
18 mi E. Rosinton
Ray. Cox

MARY M. DAVIS,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
)	
vs.)	AT LAW
)	
LAVERNE C. COX and CHARLENE O. COX, jointly and individually,)	no 6935
)	
Defendants,)	

Plaintiff claims of the Defendants the sum of TWO THOUSAND (\$2,000.00) DOLLARS due by promissory note made by them on the 27th day of July, 1964 and payable on the 27th day of January, 1965, which sum of money with the interest thereon is still unpaid.

That in and by the terms of said note, the Defendants agreed to pay all costs of collecting or securing or attempting to collect or secure this note, including a reasonable attorneys fee, and the Plaintiff claims the further and additional sum of FOUR HUNDRED (\$400.00) DOLLARS as a reasonable attorneys fee.

That in and by the terms of the said note, the Defendants waived as to the debt or any renewal thereof, all rights of exemption under the Constitution and the Laws of Alabama as to personal property, and the Plaintiff now claims the benefit of said waiver.


 ATTORNEY FOR PLAINTIFF

FILED
 APR 14 1965
 ALBANY, N.Y.
 CLERK
 REGISTER

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

MARY M. DAVIS, PLAINTIFF

VS.

LUVERNE C. COX & CHARLENE O. COX,
jointly and individually,

DEFENDANTS

)

)

)

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)

CASE NO. 6935

ORDER OF COURT REVIVING JUDGMENT

THIS DAY came the Plaintiff by her Attorney and the Defendant being called, came not, but made default; and it appearing to the Court that on the 21st day of July 1966, a Judgment was rendered in favour of the Plaintiff and against the Defendants for the sum of \$2,300.00, together with a further sum of \$41.60 costs in said suit; and after hearing the evidence, the Court being of the opinion, it is considered, ORDERED AND ADJUDGED by the Court that the Plaintiff's Motion to Revive said judgment and to have execution issued thereon be, and the same is hereby granted, and that said Judgment be, and the same is hereby revived in the name of Plaintiff and against the Defendants for the sum of \$2,300.00, together with the costs in this behalf expended and for all of which, let execution issue.

Done this the 15 day of June, 1977.


HARRY J. WILTERS, CIRCUIT JUDGE

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

MARY M. DAVIS, PLAINTIFF

VS.

LIVERNE C. COX & CHARLENE O. COX,
jointly and individually,

DEFENDANTS

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CASE NO. 6935

ORDER OF COURT REVIVING JUDGMENT

THIS DAY came the Plaintiff by her Attorney and the Defendant being called, came not, but made default; and it appearing to the Court that on the 21st day of July 1966, a Judgment was rendered in favour of the Plaintiff and against the Defendants for the sum of \$2,300.00, together with a further sum of \$41.60 costs in said suit; and after hearing the evidence, the Court being of the opinion, it is considered, ORDERED AND ADJUDGED by the Court that the Plaintiff's Motion to Revive said judgment and to have execution issued thereon be, and the same is hereby granted, and that said Judgment be, and the same is hereby revived in the name of Plaintiff and against the Defendants for the sum of \$2,300.00, together with the costs in this behalf expended and for all of which, let execution issue.

Done this the 15 day of June, 1977.

/s/ Harry J. Wilters, Jr.
HARRY J. WILTERS, CIRCUIT JUDGE

JUDGMENT

Case Number

ID YR Number
6935

IN THE DISTRICT CIVIL COURT OF BALDWIN COUNTY

Plaintiff MARY M. DAVIS

Judgment Date 9-12-77, 19

Attorney John V. Duck

vs

Judgment \$

Costs

Other

Total

Defendant LAVERNE C. COX & CHARLENE O COX

Attorney

Judgment Rendered in Favor of:

☐ Plaintiff

☐ Defendant

Judgment Type:

☐ Default

☐ Consent

☐ Detinue

☒ Dismissal

☐ Workman's Comp.

☐ Pro-Ami

☐ Other Dismissed on Motion of Plaintiff. (Give details below)

Judgment Conditions:

☐ With Exemptions

☐ Without Exemptions

☐ With Prejudice

☐ Without Prejudice

Certified As A True Copy:

Clerk

Arthur C. Epperson, Judge

Judge or Clerk of Court

PLEASE NOTE: If you disagree with this Judgment (decision), you can appeal by filing a "Notice of Appeal" Form with the clerk of this court within 14 days after the date of this Judgment. See the clerk for further information.

NO. 6935

Circuit Court

MARY M. DAVIS

VS.

LUVERNE C. COX & CHARLENE O.

.COX, jointly & individually.....

**AFFIDAVIT
GARNISHMENT ON JUDGMENT**

Filed this day of

....., 19.....

.....
Clerk

MOORE Prtg. Co., Bay Minette