INGE, TWITTY, DUF BY: SYDNEY R. PR	FY & PRINCE INCE, III	NED W. HOLI		JURY
		VS. Suit	for \$3,500.00 damages to automobi TORT	le.
JOHN V. DUCK P.O. Drawer Y, Fairhøpe, Alabama	ι	WILLIAM R.	RUCKER	
* * * * * * * * * * * * PLEADINGS, PROCESS * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *
l. Complaint and 2. Plea in Abatem	Summons* 4-6-66 aent * 5-4-66 *	* C & S served on * *	Defendant on April 21, 1966.	
	* * *	* * June 10, 1966- *	Plea in Abatement Granted, and Baldwin County, Alabama.	
	* *	* * *	Joseph	M. Hocklander, Judge 33-7
	* * *	* *		
	* * *	* * *		
is a true and corr In witness wh	ect transcript of	all the minutes, orders and nto set my hand and attached	it Court of Mobile County, Alabama, here other proceedings in the above styled os I my official seal as such Clerk of said 19 66	ase in this Court.
oounoy, masala, o			John lol	Mudully Clerk.
				ъ.

Pro. 70 24

NED W. I	HOLLINGSWORTH,	.)	IN THE CIRCUIT COURT OF
	Plaintiff,	6	MOBILE COUNTY, ALABAMA
VS.		)	AT LAW
WILLIAM	R. RUCKER,	)	
	Defendant.	)	CASE NO. <u>19002</u>

## COMPLAINT

Plaintiff claims of the defendant THREE THOUSAND FIVE HUNDRED and No/100 (\$3,500.00) DOLLARS as damages for that heretofore, on, to-wit, the 10th day of April, 1965, the defendant so negligently operated his automobile on or along U. S. Highway 31, near Stapleton, Alabama, said highway being a public road in Baldwin County, Alabama, so as to cause or allow his automobile, which he was then and there driving at said time and place, to come into contact with or collide with the plaintiff's said automobile and as a direct and proximate result of the defendant's said negligence, as aforesaid, the plaintiff's said vehicle was badly broken, bent and damaged and the plaintiff lost the use thereof for a considerable peri od of time, for all of which the plaintiff claims damages as aforesaid.

INGE, TWITTY, DUFFY & PRINCE

Sydney 7. Prince, III

Defendant William R. Rucker may be served at:

Route l, Box 241 Daphne, Alabama

Plantf demands a treet by jury STATE OF ALA HOBILE CO. I CERTIFY THIS PLEADING

APR 6 4 43 PH '65 All Manderalls <sup>CLERK</sup> 287

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Exhibit "A"

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C.C. Law 6-5M-9-65



# CIRCUIT COURT

To Any Sheriff of the State	of Alabama:					
You are hereby commanded	to summon					
WILLIAM R. RU	CKER					
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to appear within thirty days	from service of	this process, in t	the Circuit	Court of N	Mobile County	, Alabama,
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NED W. HOLL	INGSWORTH					
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·						<del></del>
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WITNESS: John E. Mandevi	lle, Clerk of said	d Court, this <u>ot</u>	n_day o	<u>f Apri.</u> 7/	<u>1</u> (``) A	, <u>19 66</u>
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	<i></i>		RAY D	. ERIDGI	ES, SHERIFF	r
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and the second sec		268				

No. 19002 - H REGID. SHERIFF DEPT. MOBILE COUNTY, ALA. NPR 8 4 20 PH 86 JUDGE .DOCKET **CIVIL DIVISION** BY **GIRCUIT COURT** MOBILE COUNTY NED W. HOLLINGSWORTH Complaint and Summons VS. eived 12 WILLIAM R. RUCKER day of 1966 popy of the wi vod a llian Issued 6th day of April <u>19 66</u> ervice on Ston Defendant's Address Route 1, Box 241 Daphne, Alabama TAYLOR WILKINS, Shight By Roy Nound D. S. VPanny Shertfi clatris SYDNEY R. PRINCE, III Jian Cault Plaintiff's Attorney ्रे. 8Y ...

JOHN V. E DICIXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
MESSAEE	REPLY
To Circuit Court of Mobile County Mobile, Ala.	DATE MRY 4, 1966
	This Plea in Abatement has been set down on Judge Hocklander's
Re: Hollingsworth vs. Rucker.	Motion Docket on May 13, 1966,
Civil Case No. 19002 -H	9:30 A.M Courtroom No. 3
Gentlemen:	
Enclosed please find Plea in Abatement to	
be filed in captioned case.	
Sincerely,	
STATE OF ALA. MODILE CO. CERTIFY THIS PLEADING WAS FILED ON	
CAN HAY 4 10 41 MH '65	
Red Marchaelle CLERK	SIGNED
Allable from gravard co., Inc. THIS COPY FOR PERS	BON ADDRESSED

NED W. HOLLINGSWORTH,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	MOBILE COUNTY, ALABAMA
vs.	)	AT LAW
WILLIAM R. RUCKER,	)	
Defendant.	)	CASE NO. 19002

#### PLEA IN ABATEMENT

Now comes WILLIAM R. RUCKER, the Defendant in the above styled cause, and appearing specially and for the purpose of this Plea in Abatement, and for no other purpose, says:

That the said WILLIAM R. RUCKER at the time said suit was instituted was a bona fide resident of the County of Baldwin, State of Alabama, and that the alleged accident in the Bill of Complaint filed herein affirmatively shows on its face that the accident occurred in Baldwin County, Alabama and that the Circuit Court of Mobile County is without jurisdiction to try this suit.

W RROCKER WILLIAM R. RUCKER

STATE OF ALABAMA BALDWIN COUNTY

Before me, a Notary Public in and for said county, in said state, personally appeared WILLIAM R. RUCKER, the Defendant in the above styled cause, and who, being by me first duly and legally sworn, says on oath that the facts set forth in the foregoing Plea in Abatement are true and correct.

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WRRUCKER

Sworn to and subscribed before me this<u>30</u>day of \_\_, 1966.

MAN 4 \$ 51 AM '86 Castroche CLERK

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same to a properly addressed envelope with adequate postage thereon.

This 2nd . 10/2 F

### FRIDAY, JUNE 10, 1966

NED W. HOLLINGSWORTH	Ş	
HOCKLANDER -vs-	19002	PLEA IN ABATEMENT GRANTED, AND CASE TRANSFERRED TO BALDWIN COUNTY, ALABAMA
WILLIAM R. RUCKER	;	BADDWIN GOOWII, ADADAMA

This day in open Court came the parties by their attorneys, and defendant's Plea in Abatement filed May 4, 1966, in this cause, coming on to be heard and being argued by counsel and understood by the Court; It is ordered and adjudged by the Court that defendant's said Plea in Abatement filed May 4, 1966, in this cause be, and the same is hereby granted, and Case ordered transferred to Circuit Court of Baldwin County, Alabama.

Minute Book 33

Page 753

#### STATE OF ALABAMA, ) IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA COUNTY OF MOBILE

I. JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby certify that the foregoing is a full, true and correct copy of <u>ORDER OF COURT</u> as rendered by the said Circuit Court on the 10th day of June \_\_\_\_\_, 19.66, in the cause entitled No. 19002 - NED W. HOLLINGSWORTH ....., Plaintiff, – versus – <u>WILLIAM R. RUCKER</u> \_\_\_\_\_ Defendant, (Tagethe Manthe Kanden and Mathematical States and remains of record in this office in Minute Book No. 33, Page No. 753

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office in the City of Mobile, Alabama, on this the <u>14thday of</u> June, 19<u>66</u>.

ATTEST:

Clerk, Circuit Court, Mobile County, Alabama.

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<u>NeD</u>	W. HOI WILLI				VS.		Plaintiff
(Act No. 740, Reg. Session Ala. L. Appvd. Sept. 20, 1957) (Amend Sec. 21, Title 11, Code Ala. 19		957			DECOST (Act No. 571, Reg. Ses (Amend Sec. 34 and 10)	. Leg. 1955) D, Title 11. (	) Sode Ala. 1940)
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Suits in detinue, ejectment, etc					Seizing personal property under		
Suits not otherwise provided					Writ of Detinue 6.00		
_					_ Serving subpoenas, each75 Impanelling Jury75		
Writs, Mandamus, Prohibition, etc	15.00				Taking & Approving Bond 2.00		
Appeals from Court General Sessions	15.00				Collecting Costs Execution 1.50		
					Serving Contempt Writ	11 1	
Appeals from Probate Court	20.00				Making Deed for Property sold 2.50 Commission, collecting money		
Appeals from JP Courts	6.00						
Appeals from State Dept of Pub. Safety, and other State					\$		
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Order of Sale, Motions to sell.	6.00				-		
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Transcript on Appeal	5.00				Judgment		
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30.40 \$31.20

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I respectfully beg to advise that if this bill for costs is not paid before \_\_\_\_\_\_\_ 19\_\_\_\_\_, it will be my unpleasant duty to issue execution for same.