

TRANSFER

NOTICE of ~~APPEAL~~

STATE OF ALABAMA, }
MOBILE COUNTY }

G. H. FUQUA

Plaintiff

VS.

GEORGE A. RASCO & DONALD E. RASCO

Defendant


To GEORGE A. RASCO and DONALD A. RASCO, the defendants

in said Cause:

You are hereby notified that G. H. FUQUA

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, ~~an appeal from the judgment thereon rendered by~~ from the ~~Judge of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, Mobile County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 14 day of July 1966


Clerk, Court of General Sessions of Mobile County, Civil Division

Circuit Court #7077

Case No. 15791

G. H. FUGUA

Plaintiff,

VS

GEORGE A. RASCO and DONALD E. RASCO

Defendant.

NOTICE OF ~~XXXXXX~~ TRANSFER

Returnable To The Circuit Court
of Baldwin County

Issued: July 11, 1966

Serve On: George A. Rasco and Donald E.
Spanish Fort, Alabama

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.
JUL 15 4 26 PM '66
BY _____

Received _____ day of July 1966
served a copy of the within to _____

George Rasco & Donald Rasco
By service on _____
Donald Rasco

TAYLOR WILKINS, Sheriff
By _____
(Sponsor's Test)
George Rasco is out of
state.

44
440
TAYLOR WILKINS, Sheriff
By _____
Deputy Sheriff

Not found in my county after diligent search and it
guilty. George Rasco
By Roy Rasco
Taylor Wilkins, Sheriff
Deputy Sheriff

TRANSFER

NOTICE of APPEAL

STATE OF ALABAMA,)
MOBILE COUNTY)

G. H. FUQUA

Plaintiff

VS.

GEORGE A. RASCO and DONALD E. RASCO
Defendant

To GEORGE A. RASCO and DONALD E. RASCO, the defendants

in said Cause:

You are hereby notified that G. H. FUQUA

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, ~~an appeal from the judgment therein rendered by~~ from the ~~stage of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County ~~Mobile County~~, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 14 day of July 1966

[Signature]
Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 15791

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

JUL 14. 4 22 PM '66

BY _____

G. H. FUQUA

Plaintiff,

VS

GEORGE A. RASCO and DONALD E. RASCO

Defendant.

NOTICE OF ~~REPEAL~~ TRANSFER

Returnable To The Circuit Court
of Baldwin County

Issued: July 14, 1966

Serve On: George A. Rasco and Donald E. Rasco
Spanish Fort, Alabama

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY
MOBILE COUNTY COURT HOUSE
MOBILE, ALABAMA 36602

WILLIAM M. BEKURS
PRESIDING JUDGE

WARREN L. FINCH
ASSOCIATE JUDGE

G. V. ADAMS
CLERK OF COURT

July 14, 1966

Mrs. Alice J. Duck, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

7072

RE: G. H. Fuqua
VS
George A. Rasco and Donald E. Rasco

Dear Mrs. Duck,

As provided by Act No. 76, Acts of Alabama, 1961, I am enclosing the following papers in the above styled case:

No. 1	Complaint and Summons
No. 2	Sheriff's Return on Complaint & Summons
No. 3	Plea in Abatement
No. 4	Motion to Transfer
No. 5	Certified Copy of Docket Sheet
No. 6	Cost Bill
No. 7	Notice of Transfer

Will you please acknowledge receipt of the above papers on the bottom of this letter and return to me in the enclosed self-addressed, stamped envelope.

Thanks you for your consideration.

Yours very truly,

G. V. Adams
G. V. Adams, Clerk

All papers in this cause received in The Circuit Court of Baldwin County, Alabama, this the 20 day of July, 1966.

Alice J. Duck
Clerk of The Circuit Court of
Baldwin County, Alabama

IN THE COURT OF GENERAL

.. SESSIONS OF

:: MOBILE COUNTY, ALABAMA

.. CASE NO.

.. CASE NO.

Dominick J. Matranga
Dominick J. Matranga,
Attorney for Plaintiff

Donald E. Rasco
Baldwin County
Spanish Fort, Alabama

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

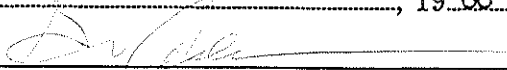
You are hereby commanded to summon George A. Rasco and Donald E. Rasco

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 10 day of February, 1966 at the hour of 9:30 A.M., then and there to answer a complaint of G. H. Fuqua

of a debt or other demand not exceeding Five Hundred Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 10 day of Jan., 1966


Clerk of the Court of General Sessions of Mobile County.

Cause of Action

①

COMPLAINT AND SUMMONS

Atty. for Plaintiff: Dominick J. Matranga

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

No. 45791

Ret. February 10, 1966

G. H. Fuqua

VS.

George A. Rasco and Donald E. Rasco
Spanish Fort (Baldwin County) Alabama

Continued To

Executed by Service on

Defendant

This day, 19.....

Sheriff of Mobile County

By
Deputy Sheriff

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOORThe State of Alabama, }
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon George A. Pasco and Donald E. Pascoto be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 10 day of February, 1966 at the hour of 9:30 A.M., then and there to answer a complaint of G. H. Fuqua

of a debt or other demand not exceeding Five Hundred Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 10 day of Jan., 1966
Clerk of the Court of General Sessions of Mobile County.Cause of Action _____

438 40882
COMPLAINT AND SUMMONS

Atty. for Plaintiff: Dominick J. Matrangola
Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY**

No. 15291

Ret. February 10, 1966

G. H. Fuqua

VS.

George A. Rasco and Donald E. Rasco
Spanish Fort (Baldwin County) Alabama

Continued To

Executed by Service on

Donald E. Rasco

Defendant

This 25 day Jan, 1966

Sheriff of Mobile County

By Roy Randle
Deputy Sheriff

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

JAN 10 4 10 PM '66

BY

RECEIVED
JAN 11 1966
REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.
TAYLOR WILKINS
SHERIFF
BY

Returned 28 day of Jan 1966
I have found in my county after diligent search and in-
quiry. out to George Rasco
Taylor Wilkins, Sheriff
By Roy Randle
Deputy Sheriff

Sheriff claims 44 miles at
Ten Cents per mile Total 4.40
TAYLOR WILKINS, Sheriff
By Roy Randle
DEPUTY SHERIFF

Spanish Fort

G. H. FUQUA,

Plaintiff

VS.

GEORGE A. RASCO and
DONALD E. RASCO,

Defendants

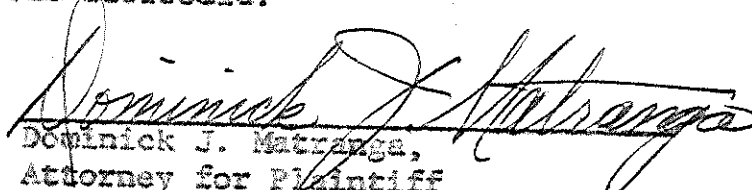
:: IN THE COURT OF GENERAL

:: SESSIONS OF

:: MOBILE COUNTY, ALABAMA

:: CASE NO. _____

The Plaintiff claims of the Defendants the sum of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS for that on to-wit, the 23rd day of January, 1965, the Defendant, George A. Rasco, the agent, servant or employee of Donald E. Rasco, while driving the automobile of Donald E. Rasco on United States Highway number 90 near the site of Ben's Pit Bar-B-Q, said highway being a public highway in the State of Alabama, Baldwin County, did so negligently operate the automobile of Donald E. Rasco so as to cause said automobile to be placed into the path of the Plaintiff's automobile in such a manner that the daughter of the Plaintiff who was operating said automobile was unable to stop and she thereby collided into the automobile of the Defendant so negligently operated by George A. Rasco, and as a proximate consequence of the negligence of George A. Rasco, the automobile of the Plaintiff was bent, broken and otherwise damaged in the sum aforesaid.


Dominick J. Matranga,
Attorney for Plaintiff

Defendants' addresses are as follows:

George A. Rasco
Spanish Fort, Alabama

Donald E. Rasco
Baldwin County
Spanish Fort, Alabama

1965
1224

IN THE COURT OF GENERAL

SESSIONS OF

SESSIONS OF

MOBILE COUNTY, ALABAMA

CASE NO.

Dominick J. Matranga
Dominick J. Matranga,
Attorney for Plaintiff

Donald E. Rasco
Baldwin County
Spanish Fort, Alabama

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama, }
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon George L. Hesse and Donald S. Hesse

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 10 day of February, 1966 at the hour of 9:30 A.M., then and there to answer a complaint of G. L. Hesse

of a debt or other demand not exceeding Five Hundred Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 10 day of Jan., 1966.

[Signature]
Clerk of the Court of General Sessions of Mobile County.

Cause of Action _____

COMPLAINT AND SUMMONS

Atty. for Plaintiff: Dominick J. Nabrange
Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 15797

Ret. February 10, 1966

G. H. Fuqua

VS.

George A. Rasco and Donald W. Rasco
Spanish Fort (Baldwin County) Alabama

Continued To

Executed by Service on

Defendant

This day, 19.....

Sheriff of Mobile County

By
Deputy Sheriff


3

G. H. FUQUA,	*	IN THE COURT OF GENERAL
Plaintiff,	*	SESSIONS OF MOBILE COUNTY,
VS		
GEORGE A. RASCO and	*	ALABAMA
DONALD E. RASCO,		
Defendants.	*	CASE NO. _____

PLEA IN ABATEMENT

Comes the Defendant, Donald E. Rasco, and appears specially for this plea and for no other and says this Court is without jurisdiction in the premises; that the complaint shows on its face that the injury complained of occurred on a public highway in Baldwin County, Alabama; that the Defendant, Donald E. Rasco, was and is a resident citizen of Baldwin County, Alabama; and was not and is not a citizen of Mobile County, Alabama.

WHEREFORE, Defendant says that the Court of General Sessions of Mobile County, Alabama, pursuant Title 7, Section 54, 1940 (Recomp. 1958) ^{is} was without jurisdiction in the premises.


JOSEPH J. BOSWELL

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said State and County, personally appeared Donald E. Rasco being by me first duly sworn deposes and says that he has read the foregoing plea and the facts stated therein are true and correct.


DONALD E. RASCO

Subscribed and sworn to before me this 10th
day of February, 1966.

Brenda Stuart
NOTARY PUBLIC, MOBILE COUNTY,
ALABAMA

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day
of February, 1966, I served a copy of
the foregoing pleading on counsel for all parties
to this proceeding by mailing the same by
United States mail, properly addressed and
first class postage prepaid.

Joseph J. Powell

(4)

G. H. Fugua
Plaintiff

vs.

George A. Rasco
and Donald E. Rasco
Defendants

In the Court of
General Sessions
Mobile County, Alabama

45,791

Case No. ~~45719~~

The Defendants' plea in abatement
having been granted, now comes
the Plaintiff and moves that this
cause of action be transferred to
the court of competent jurisdiction
in Baldwin County Alabama

Rominick J. Matrange
Attorney for the Plaintiff

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 45791

G. H. FUQUA,	:	Filed:	January 6, 1966
	:		
Plaintiff,	:	Summons Issued:	January 10, 1966
	:		
VS	:	Returnable:	February 10, 1966
	:		
	:	Service Had: Donald -	January 25, 1966
	:	George -	Not Found
GEORGE A. RASCO and	:	Cause of Action:	Complaint and Summons
DONALD E. RASCO,	:		
	:		
Defendants.	:	Attorney for Plaintiff:	Dominick J. Matranga
	:		
Amount of Claim: \$500.00	:	Attorney for Defendant:	Joseph Boswell

2/10/66 - Plea Sustained - W. L. Finch

Plea in Abatement Filed - 2/10/66

March 10, 1966

June 30, 1966

Motion to (File) Transfer Filed - March 14, 1966

June 30, 1966 - Motion Granted - W. L. FINCH

I hereby certify that the foregoing is a true and correct copy of the above styled cause, as it appears on record and in the files of The Court of General Sessions of Mobile County, Alabama.

Witness my hand this the 14th day of July, 1966.



Clerk of The Court of General Sessions of Mobile County

COST BILL

THE STATE OF ALABAMA }
MOBILE COUNTY }

The Court of General Sessions
of Mobile County

D H Juma Plaintiff
George R. + Donald E. Rame Defendant

CASE NO. 45791

COURT FEES

Summons and proceedings thereon to judgment	\$1.00	<u>1.00</u>
Docketing each cause .....	.10	<u>.10</u>
Attachment Bond and Affidavit	1.50	
Issuing each Attachment .....	.50	
Summoning Garnishee and taking examination .....	.75	
Subpoena for each witness .....	.15	
Execution and taxing costs thereon .....	.50	
Each appeal or certiorari, including bond and certificate of proceedings	1.00	
Every necessary Certificate or Notice not otherwise provided for .....	.25	
For issuing each Writ of Detinue .....	.50	
For each Scire Facias, or notice in the nature thereof .....	.50	
Every other Bond .....	.50	
Administering an oath and certifying the same .....	.25	
Issuing Notice of Appeal .....	.25	
Law Library Fee	1.00	<u>1.00</u>
Judgment Ni Si against Garnishee .....	.50	
Writ of Discovery .....	.50	
Writ of Contempt .....	.50	
Writ of Arrest .....	.50	
Alias Summons	1.00	
Witness Fee fifty cents for each day's attendance		
.....		
.....		
.....		
.....		
.....		
.....		
TOTAL	\$	<u>2.10</u>

SHERIFF'S FEES

Levying Attachment	6.00	
Entering and returning same .....	.25	
Summoning Garnishee and making return	1.50	
Serving Summons and other mesne process, and returning the same	1.50	<u>1.50</u>
Summoning each Witness and returning Subpoena .....	.75	
Collecting execution for costs only	1.50	
Serving Scire Facias or other like notice	1.50	
Serving any summons not herein provided for, and making return	1.50	
Seizing personal property under Writ of Detinue	6.00	
Taking care of such property, such just compensation as Court may fix		
Taking and approving bonds of every kind	2.00	
When property is sold under execution or attachment		
Commission:	5%	
When sale is stayed by restraining order	2½%	
Total	\$	<u>1.50</u>
GRAND TOTAL	\$	<u>3.60</u>

I respectfully call your attention to the above Court Cost Bill which if not paid by _____
19_____, it will be my unpleasant duty to issue execution on your property for the recovery of the same.

G. V. ADAMS, Clerk.

TRANSFER

(7)

NOTICE of ~~APPEAL~~

STATE OF ALABAMA, }
MOBILE COUNTY }

G. H. FUQUA

Plaintiff

VS.

GEORGE A. RASCO and DONALD E. RASCO
Defendant

To GEORGE A. RASCO and DONALD E. RASCO, the defendants

in said Cause:

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the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, ~~on appeal from the judgement therein rendered by~~ from the ~~County of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this 14 day of July 1966

Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 45791

G. H. FUQUA

Plaintiff,

VS

GEORGE A. RASCO and DONALD E. RASCO

Defendant.

NOTICE OF ~~APPEAL~~ TRANSFER

Returnable To The Circuit Court
of Baldwin County

Issued: July 14, 1966

Serve On: George A. Rasco and Donald E. Rasco
Spanish Fort, Alabama