

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROBERT WAYNE HEFLIN, Complainant

vs.

OLA FAY HEFLIN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ answer of Respondent

and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the

said Robert Wayne Heflin is forever divorced from the

said Ola Fay Heflin for and on account of

Voluntary abandonment

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Robert Wayne Heflin the Complainant, pay the cost herein to be taxed, for which execution may issue.

This 27th day of May, 1954

Hubert M. Stace
Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

MAY 18 1954

JAMES A. DICK, CLERK

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

May 21, 1954

Honorable H. M. Hall
Circuit Judge
Bay Minette, Alabama

Dear Judge:

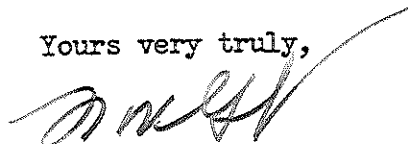
RE: HEFLIN v. HEFLIN - No. 3214
Baldwin County Circuit Court

Inclosed you will find a letter addressed to me dated May 19, 1954, and a copy of a letter addressed to Mr. Arthur C. Epperson, of the same date, together with the agreement referred to therein.

My file indicates that I filed my answer in this case on April 14, or 15th. Also I am sure that I discussed this with Mr. Epperson at about this time.

This is for your information.

Yours very truly,



FOREST A. CHRISTIAN

Incl.

ltr. to F.A.Christian dtd 19 May 54

" to A.C.Epperson " " " "

CHARLES A. CHRISTIN
LEONARD J. R. DAVIS
JOHN BALDWIN O'DONNELL

CHRISTIN AND DAVIS
ATTORNEYS AT LAW
550 RUSS BUILDING
SAN FRANCISCO 4

TELEPHONE
EXBROOK 2-4060
YUKON 2-6610

May 19, 1954

Mr. Forest A. Christian
Attorney at Law
Foley, Alabama

Re: HEFLIN v. HEFLIN - No. 3214
Baldwin County Circuit Court

My dear Mr. Christian:

Enclosed herewith is a copy of our response to Mr. Epperson's letter addressed directly to Mrs. Heflin, dated May 10, 1954, wherein he enclosed two copies of a proposed Agreement relating to this cause, together with a form of Answer and Waiver.

A copy of the proposed Agreement is enclosed herewith for your information and retention.

We are at a loss to understand Mr. Epperson's conduct in communicating directly with our client in view of your appearance and representation in her behalf and should like some explanation if you can furnish it.

May we suggest that you amend or modify Paragraph V(A) of the Answer filed on behalf of Mrs. Heflin to request at least \$100.00 per month for the support and maintenance of the two minor children, the issue of this marriage. In addition to this, and based upon Mrs. Heflin's present needs, it might be appropriate to request permanent support for her, whether such be denominated support and maintenance for her or permanent alimony.

Very truly yours,

CHRISTIN AND DAVIS

BY


LEONARD J. R. DAVIS

LD:ay

CHARLES A. CHRISTIN
LEONARD J. R. DAVIS
JOHN BALDWIN O'DONNELL

CHRISTIN AND DAVIS
ATTORNEYS AT LAW
550 RUSS BUILDING
SAN FRANCISCO 4

TELEPHONE
EXBROOK 2-4060
YUKON 2-6610

May 19, 1954

Mr. Arthur C. Epperson
Attorney at Law
Poppe Building
Foley, Alabama

Re: HEFLIN v. HEFLIN - No. 3214,
Baldwin County Circuit Court

My dear Mr. Epperson:

Our client, Mrs. Ola Heflin, has forwarded to us the proposed Agreement and Answer and Waiver enclosed in your letter to her dated May 10, 1954.

We assume that you must be familiar with the fact that our correspondent attorney, Mr. Forest A. Christian, is representing Mrs. Heflin's interests in the above captioned cause, and any communications which you have in connection with Mrs. Heflin should be made through Mr. Christian or our office. We assume further, that you must be familiar with the Canon of Ethics of the American Bar Association regarding communications between an attorney for one of the interested parties to a contested matter, when that attorney represents the other party in such litigation.

With respect to the substantive matters referred to in your letter, please be advised that there are two minor children, the issue of this marriage, i.e. Thomas Earl Heflin, who was born November 12, 1952 and William Wayne Heflin, who was born October 4, 1950.

The sum proposed by Mr. Heflin for the support of the minor children is not adequate either in light of the children's needs or Mr. Heflin's ability.

May we suggest that you address any further communications with reference to the above captioned cause either to Mr. Christian or to us.

Very truly yours,

CHRISTIN AND DAVIS

By

STATE OF ALABAMA)
)
BALDWIN COUNTY)

THIS AGREEMENT made and entered into on this the Twenty-sixth day of January, 1954, by and between ROBERT WAYNE HEBLIN, hereinafter referred to as the party of the first part, and OLA RAY HEBLIN, hereinafter referred to as the party of the second part:

WITNESSETH:

Whereas, the parties hereto have been husband and wife since March 1st, 1950, and as a result of such union have one minor child, THOMAS EARL HEBLIN, Two years and two months of age; and

Whereas, the parties have been separated and living apart for several years and have definitely concluded that it is impractical for them to live together as man and wife; and

Whereas the party of the first part is contemplating bringing an action for a divorce and it is the desire to settle the matter of the care, control, custody, support and maintenance of the said minor child of the marriage without litigation.

Now, therefore, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to the following terms and conditions:

1. That the care, control, and custody of the said minor child be in the mother, the party of the second part, with rights of visitation at reasonable times and places in the father, the party of the first part.

2. That the party of the first part will pay for the support and maintenance of the said minor child, the sum of Twenty-five Dollars on or before the fifth day of each month to the party of the second part at her address until changed by agreement of the parties hereto or a Court of competent jurisdiction.

3. That in the event the party of the first part insists on his express determination to file a suit for divorce against the party of the second part denies and expects to continue to deny that the party of the first part is in any way entitled to a divorce, and in the event that the Court, upon hearing should decide that the party of the first part is entitled to a divorce, that it is agreed and understood that this agreement and all of its terms shall be submitted to the Court for its approval, and shall not be executed until and unless the Court does approve the same.

This agreement has been made and executed by the parties hereto in good faith on the day and date hereinabove set forth, with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely.

Party of the First Part

Witness

Party of the Second Part

Witness

ROBERT WAYNE HEFLIN,

VS.

OLA FAY HEFLIN

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IN THE

CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA. IN EQUITY.

May 19, 1954.

MR. ARTHUR EPPERSON, REPRESENTING THE COMPLAINANT.

MR. FOREST CHRISTIAN, REPRESENTING THE RESPONDENT.

TESTIMONY TAKEN IN OPEN COURT, BEFORE HON. HUBERT M. HALL,

JUDGE OF THE 28TH JUDICIAL CIRCUIT OF ALABAMA.

ROBERT WAYNE HEFLIN, THE COMPLAINANT, BEING FIRST DULY SWORN,

TESTIFIED AS FOLLOWS:

Examination by Mr. Epperson.

Q. Will you state your name and age, please?

A. Robert Wayne Heflin, age 23.

Q. Where do you reside?

A. Foley.

Q. How long have you been a resident of Alabama?

a. Since September 28, 1952.

Q. That has been more than one year preceding the filing of
this bill for divorce?

A. Yes, sir.

Q. Where were you and Ola Fay Heflin married?

A. Lumis, California.

Q. When?

A. March 18, 1950.

Q. When you came to Alabama did you ask Mrs. Heflin, your wife to come to Alabama with you?

A. Yes, sir.

Q. Did she refuse?

A. Yes, sir.

Q. Since that time you have attempted to get her to come to Alabama to live with you?

A. Yes, sir.

Q. And has she refused?

A. Yes, sir.

Q. Is it, or has it been because of any fault on your part that she refused to come to Alabama to live?

A. No, sir.

Q. Since you came to Alabama you have not lived together in any way with your wife, or recognized her as your wife?

A. No, sir.

Q. How old is your wife, Ola Fay Heflin?

A. 21.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. CHRISTIAN, HE
TESTIFIED:

Q. What do you do in Foley?

A. I am in service.

Q. You are living at Barin Field?

A. Not constantly.

Q. Don't you reside at Barin field in the barracks ?

Q. How do you mean?

Q. Don't you stay at Barin Field in the barracks as a single man? Don't you get your mail there?

A. Yes, sir.

Q. Don't you keep your clothes at Barin Field?

a. Yes, sir.

Q. And you are in Baldwin County because the Navy says that you are stationed at Barin Field, is that right?

a. Yes, sir.

Q. And you are a resident, or are residing at Barin Field?

A. Yes, sir.

Q. And that is Government property?

A. Yes, sir.

Q. In otherwords, you are not in Alabama - you are not a citizen of Alabama, are you?

A. How do you mean, sir?

Q. Do you vote in Alabama-- Did you vote in Alabama in the last election?

A. No, sir.

Q. Where is your home?

A. My home is in Foley, Alabama.

Q. It isn't in Missouri?

A. No. - You mean my place of birth, is that what you are talking about?

Q. You are living at Barin field in the Barracks and that is where home is at this time?

A. Partly, not all together.

q. And that is Government property isn't it?

a. Yes, sir, the property at Barin field is.

ON RE DIRECT EX AMINATION OF THIS WITNESS BY MR. EPPERSON,
HE TESTIFIED:

Q. Mr. Heflin, how long ago has it been since you joined the Church of Christ in Fñley? - - You are a member of the Church of Christ in Foley, are you not?

MR. CHRISTIAN, THAT is irrelevant.

MR. EPPERSON: To show that he intended to make Alabama his residence more than a year ago.

Q. Shortly after you came to Alabama didn't you decide to come to Alabama to make it your permanent residence?

A. Yes, sir.

Q. What steps have you taken to make yourself a permanent resident of Alabama, and Baldwin County? -- Did you join the Church?

A. Yes, sir, I became a member of the Church.

Q. You have intended for Alabama to be your permanent residence for morethan 1 year preceding the filing of this bill of complaint?

A. Yes, sir.

Q. Have you taken any other steps?

A. Yes, sir, I have gone gthrough the process of looking at a place; I have located a small farm and I have intended buy ing that place and living here as a permanent home.

Q. You have told other people that you intended to make Alabama your permanent home?

A. Yes, sir.

THE COURT: Mr. Heflin, I want to ask you this question: Have you been a bona fide resident of Alabama for more than 12 months before this suit was filed?

A. Yes, sir.

MR C. C. CATES, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Q. Will you state your name to the Court?

A. C. C. Cates.

Q. How long have you resided in Foley, Baldwin County, Alabama?

A. Since January of 1950, I believe.

Q. Are you acquainted with Mr. Robert Wayne Heflin?

A. Yes, sir.

Q. How long have you known him?

A. I don't know the exact date, but I believe since about the first of December of 1952.

Q. At that time did he express a desire to become a member of your Church?

A. He started attending the services and if I remember correctly a few weeks - I wouldn't be able to say definitely, because it is not in my mind clear - a few weeks later he became a member of the Church.

Q. Has he expressed his desire to show that he has been a resident of Alabama and that he wants to make Alabama his

permanent home or residence?

A. He has discussed that with me several times; naturally he came to me concerning this problem and we have discussed it; I would not be able to affirm as to what time he discussed it and what we said about it in particular.

Q. He has resided in Foley or vicinity for more than a year?
At least since December, 1952, when you met him?

a. Absolutely.

Q. Has his wife resided with him at any time?

A. Not that I know anything about.

Q. Has he at any time discussed his domestic affairs with you--

A. State that again, please.

Q. That is all right; that is all.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. CHRISTIAN:

Q. Mr. Cates, doesn't Mr. Heflin stay at Barin Field?

a. Yes, sir.

Q. He is a service man, isn't he?

A. Yes, sir.

Q. Doesn't he live at Barin Field?

A. Part of the time - I think he stated that.

Q. Where does he stay now?

A. That is what I'm talking about.

Q. He is staying at Barin Field?

A. As far as I know part of the time - I believe he stated.

I don't try to keep up with him.

MR. CHRISTIAN: I move that you rule that the Complainant is
not entitled to a divorce; that he is not a

Resident of Baldwin County, Alabama; He is in the State of Alabama because Barin Field is in Alabama and that is where he was sent; he resides at Barin Field on U. S. Government property and does not qualify as a resident citizen of Baldwin County.

MR. EPPERSON: I think the law is that he can become a resident of any place that he can show his intent to do so and he has shown his intent to become a resident of Alabama and has become a bona fide resident of Alabama.

THE COURT: I will tell you this, that you are treading on dangerous ground, because I asked the gentlemen if he was able to swear that he had been a bona fide Resident of Alabama for morethan 12 months, and likewise I say that if that is untrue and that if you advance that idea knowing that it subjects you to disbarment; I'm just warning you fellows.

MR. EPPERSON: He has taken every step possible; He is not qualified to vote, but he has expressed the intent to become a resident of Alabama.

THE COURT: What if that lady comes and raises the question? If she does, somebody is going to get in Trouble. I am telling you that I am going to grant the divorce, but he is not going to have any consideration if that happens.

MR. CHRISTIAN: He has two minor children.

THE COURT: I am not ruling on them. I am going to take the matter under consideration, because I don't want to subject myself to criticism from the Supreme Court in cases like this. I don't want to see anybody get in trouble. I know Mr. Gates is speaking from personal knowledge; I don't know that that man is a bona fide resident, but I am warning both of you if he is not----

I hereby certify that the foregoing is a true and correct transcript of the testimony as taken by me in the above styled case on May 19, 1954, before Hon. H. M. Hall, Judge of said Court.

This 27th day of May, 1954.

Louise Deschamps
Court Reporter.

FILED
MAY 1954
MAY 19 1954
MAY 19 1954

THE STATE OF NEW YORK

IN SENATE

JANUARY 1954

REPORT OF THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES

ON THE STATE OF NEW YORK

IN SENATE

JANUARY 1954

REPORT OF THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES

ON THE STATE OF NEW YORK

JANUARY 1954

REPORT OF THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES

ON THE STATE OF NEW YORK

JANUARY 1954

REPORT OF THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES

OLA FAY HEFLIN,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY No. 3214

ANSWER

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your respondent, Ola Fay Heflin, and for answer to the complainant's bill of complaint shows unto your honor:

1. (A) Your respondent admits that the complainant is over the age of twenty-one years and that your respondent is over the age of twenty-one years and is a resident of San Francisco, California.
1. (B) Your respondent specifically denies that the complainant the complainant has been a bona-fide resident and citizen of Baldwin County Alabama for one year next preceding the filing of this bill of complaint.
2. (A) Your respondent admits that she and complainant were lawfully married on or about to-wit: March 18, 1950, in Loomis, California.
2. (B) Your respondent specifically denies that there is one child from said marriage but, allegesthere were two children born to said marriage to-wit: THOMAS EARL HEFLIN, born November 12, 1952 and WILLIAM WAYNE HEFLIN, born October 4, 1950.
3. (A) Your respondent specifically denies that she voluntarily abandoned the bed and board of the complainant for more than one year next preceding the filing of this bill of complaint but, specifically alleges that it was the complainant who voluntarily abandoned the bed and board of the respondent.
4. (A) The respondent specifically denies that she entered into any agreement that the complainant for the control, custody and support of said minor child or children.
5. (A) Your respondent further avers that the complainant has/^{ample}resources in which to pay to the said respondent for the care, maintenance, and support of said to minor children to-wit: THOMAS EARL HEFLIN and WILLIAM WAYNE HEFLIN and that she receives for the maintenance and support of said minor children the monthly sum of not less \$300. The respondent further avers that that she is without funds to employ counsel and that she is employing Mr. Christian, Foley, Alabama to represent her casue and has agreed to pay him a sum of \$500. as a reasonable attorneys fee in this matter.

Your respondent prays that she be paid alimony and support for the two minor children of this marriage pending the completion of this litigation.

W. W. G. Oliver, Jr.
Solicitor for Respondent

3214

ROBERT WAYNE HEFLIN

COMPLAINANT

VS:

OLA FAY HEFLIN

RESPONDENT

ANSWER

FILED

APR 19 1954

ALICE J. DUCK, Register

ROBERT WAYNE HEFLIN,
Complainant,

VS:

OLA FAY HEFLIN,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY No. 3214

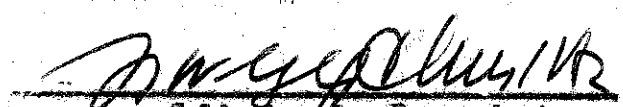
ANSWER

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your respondent, Ola Fay Heflin, and by answer to the complainant's bill of complaint shows unto your honor:

1. (A) Your respondent admits that the complainant is over the age of twenty-one years and that your respondent is over the age of twenty-one years and is a resident of San Francisco, California.
1. (B) Your respondent specifically denies that the complainant the complainant has been a bona-fide resident and citizen of Baldwin County Alabama for one year next preceding the filing of this bill of complaint.
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4. (A) The respondent specifically denies that she entered into any agreement that the complainant for the control, custody and support of said minor child or children.
5. (A) Your respondent further avers that the complainant has/ample resources in which to pay to the said respondent for the care, maintenance, and support of said to minor children to-wit: THOMAS EARL HEFLIN and WILLIAM WAYNE HEFLIN AND THAT SHE receives for the maintenance and support of said minor children the monthly sum of not less \$300. The respondent further avers that that she is without funds to employ counsel and that she is employing Mr. Christian, Foley, Alabama to represent her casue and has agreed to pay him a sum of \$500. as a reasonable attorneys fee in this matter.

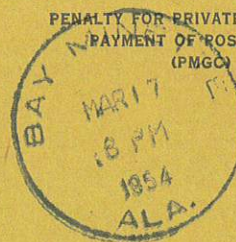
Your respondent prays that she be paid alimony and support for the two minor children of this marriage pending the completion of this litigation.


Solicitor for Respondent

POST OFFICE DEPARTMENT
POST OFFICE, Bay Minette, Ala.

OFFICIAL BUSINESS
(No. 4)

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300
(PMGC)



Alice L Duck elk
City

3214

Form 3811
Rev. 1-52

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1

(Signature or name of addressee)

2

Deliver to Addressee Only

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery _____, 19____



Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to *Alice J. Duck Clerk*
(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. *743*

INSURED PARCEL

Post Office *Bay Minette*

State *Ala*

No. _____

16-12421

RECEIPT FOR REGISTERED ARTICLE No. 743

Fee paid 30

(Date)

19

Class postage paid 1

Return receipt fee 07

Special delivery fee 20

Declared value, \$ none

Surcharge paid, \$

Restricted delivery
(Accepting employee will place
initials in proper space)

in person

or order

Fee paid

From

(Sender)

(Street and number)

Addressed to

(Post office and State)

(Address)

(Street and number)

GPO c9-16-12666-5

(Post office and State)

Postmaster, per Dr



LORENZO S. BUCKLEY
CHIEF PROBATION OFFICER

HRAYR TERZIAN
ASSISTANT CHIEF PROBATION OFFICER

ALBERT S. GORDON, DIRECTOR
DIVISION OF JUVENILE PROBATION
2200 - 150TH AVENUE
SAN LEANDRO, CALIFORNIA 94578
ELGIN 1-0420

ALAMEDA COUNTY PROBATION DEPARTMENT

Court No. 71576

February 2, 1967

No. 190734

RE: HEFLIN, William Wayne

REPLY TO: Mr. Gene J. Kennedy

C E R T I F I E D

Clerk of the Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Dear Sir:

The matter of William Wayne Heflin is being processed by this Department for Juvenile Court hearing ~~XXXXXXXXXXXXXXXXXXXX~~ The following information relative to the divorce of this minor's parents has been reported to us:

Father's name: Robert Heflin

Mother's name: Fay Heflin

Date and place of divorce: 1953 Foley, Alabama

Legal custody awarded to: Mother

In order to complete our investigation, it is necessary that we verify this information; and we, therefore, request your assistance. A self-addressed, ~~stamped~~ envelope is enclosed for your convenience. Your cooperation is greatly appreciated.

LORENZO S. BUCKLEY
CHIEF PROBATION OFFICER

By *Gene J. Kennedy*
Gene J. Kennedy
Deputy Probation Officer

LSB: GJK/bfm
Enclosure \$1.00

- Please check one: () Our records verify the accuracy of all divorce and custody information provided above.
() We have no record of this divorce.
() Our records of this divorce and award of legal custody differ from the above as follows:

PO-1224

4-6-67
Signature
Title:

DIVORCE