

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

March 15, 1954

3217

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint in the Divorce
action of Russel O. Roeder -vs- Dorothy Louise Roeder.

Yours very truly,



C. G. Chason

CGC:fm

encls. 1

no 3217

Russel U. Greder

MS.

Margothy Louise Greder

service

3-17-54

1. compt
del to sheriff

C. H. Charn


RUSSELL O. ROEDER,)
 Complainant,) IN THE CIRCUIT COURT OF
 VS.) BALDWIN COUNTY, ALABAMA
 DOROTHY LOUISE ROEDER,) IN EQUITY NO. 3217
 Respondent.)

PLEA IN ABATEMENT

Now comes Dorothy Louise Roeder, the respondent in the above styled cause, by her Solicitor, and appearing specially for the purpose of filing this plea in abatement, and for no other purpose, pleads in abatement to the complaint heretofore filed herein and as grounds for said plea, says:


1. That this Honorable Court is without jurisdiction of this cause in this: The complainant in this cause has not been a bona fide resident citizen of the State of Alabama for twelve months next preceding the filing of the Bill of Complaint in this cause, as required by Section 27, Title 7 of the 1940 Code of Alabama, as amended.

WHEREFORE, the respondent says that the Circuit Court of Baldwin County, Alabama, has no jurisdiction of this cause of action and this Court ought not to take further jurisdiction of this cause.


 Solicitor for respondent.

STATE OF ALABAMA)
 *
 BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn, deposes and says: That he is the solicitor for the respondent in the above styled cause; that he is informed and believes, and on such information and belief, states the facts set out in the foregoing Plea in Abatement are true.


 Sworn to and subscribed before me on
 this the 14th day of May, 1954.


 Notary Public, Baldwin County, Alabama.

PLEA IN ABATEMENT
RUSSELL O. ROEDER,
Complainant,
VS.
DOROTHY LOUISE ROEDER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 3217

FILED

MAY 14 1954

ALICE J. DUCK, Register

RUSSEL O. ROEDER,

Complainant,

-vs-

DOROTHY LOUISE ROEDER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Your Complainant, Russel O. Roeder, respectfully represents and shows unto your Honor:

1. That Complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona fide resident of said State and County for more than one year next preceding the filing of this Bill of Complaint; that Dorothy Louise Roeder is a non-resident, her present address being 1540 Junipero Avenue, Long Beach, California, and is over the age of twenty-one years.

2. That your Complainant and the Respondent were lawfully married on, to-wit, December 6, 1936.

3. Complainant further avers that said Respondent voluntarily abandoned the bed and board of Complainant for more than one year next preceding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife. Separation occurred the latter part of 1951.

4. The Complainant further shows to the Court that in the Winter of 1951, while the Complainant was serving overseas duty in the United States Navy, the Respondent obtained a divorce somewhere in Mexico and that she married shortly thereafter in Las Vegas, Nevada. This divorce was and is believed by the Complainant to be illegal, however, he has not lived with the Respondent nor recognized her as his wife since that date. Complainant does not now allege that the Respondent is presently living with the man whom she married in Las Vegas, Nevada, as he presently believes them to be separated, but does not know whether their marriage has been annulled or a divorce granted to her therein.

5. There was born of this marriage two children, namely, Sandra Jeanne Roeder, age 15 years, and Sylvia Leilani Roeder, age 11 years, and he hereby agrees that the Respondent have custody of the said minor children, and he believes that he is financially able to pay the sum of Fifty Dollars (\$50.00) per month for each of the said minor children for their maintenance and support, while they are in the custody of the Respondent, and as long as he is in the Armed Forces of the United States.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Dorothy Louise Roeder be made a party defendant to this cause by the usual process of this Honorable Court, by service by Registered Mail, requiring her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause, that your Complainant be granted a divorce from the Respondent and that the Respondent be granted custody of the minor children, namely, Sandra Jeanne Roeder and Sylvia Leilani Roeder, and that the sum of Fifty Dollars (\$50.00) per month per child be paid by the Complainant for the support and maintenance of these minor children as long as the Complainant remains in the Armed Forces of the United States, and as long as the children remain in the custody of the Respondent. Complainant further prays that he be granted reasonable rights of visitation. Should your Complainant be mistaken in the relief prayed for, that there be granted to him such other, different and general relief to which he may be entitled and as in duty bound, he will ever pray.


Complainant


Solicitor for Complainant

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3217

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DOROTHY LOUISE ROEDER

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-----

DOROTHY LOUISE ROEDER

-----, Defendant---

by RUSSEL O. ROEDER

-----, Plaintiff---

Witness my hand this 17th day of March 19 54

Alvin J. Hensch Clerk
Regina

No. 3217

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

Russel Q. Roeder

Plaintiffs

vs.

Borothy Louise Roeder

Defendants

Summons and Complaint

Filed 3-17-54 19____

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19____

_____, Sheriff

I have executed this summons

this _____ 19____

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

Form 3811
Rev. 1-52

3217

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the
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 a

Date of delivery

4-17, 1954

Post Office Department
OFFICIAL BUSINESS

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



(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to

Aricek Leuck
(NAME OF SENDER)

Street and Number,
or Post Office Box,

Box 239

REGISTERED ARTICLE

No.

802

Post Office

Bay Minette

INSURED PARCEL

No.

16-12421

State

Ala.