

April 25, 1967

Mr. William Clyde Givens and  
Mrs. Annie Ruth Givens  
Seminole, Alabama

Dear Clyde:

Re: Commercial Acceptance Corporation  
vs: William Clyde Givens, Sr. and  
Annie Ruth Givens, husband & Wife  
Case No. 7300

The Judge has overruled the demurrers in the above styled case  
and has given you twenty days to appear and plead.

Best regards to all,

---

AJD/eb

LAW OFFICES  
CAFFEY, GALLALEE, EDINGTON & LOVELESS  
CONTI AT ST. EMANUEL  
MOBILE, ALABAMA  
36601

WILLIAM G. CAFFEY (1884-1964)  
JACK C. GALLALEE  
ROBERT S. EDINGTON  
RALPH P. LOVELESS  
—  
I. DAVID CHERNIAK  
FREDERICK G. HELMSING  
HORACE MOON, JR.

PLEASE REPLY TO WEST MOBILE OFFICE:

TELEPHONE 433-2531  
AREA CODE 205  
POST OFFICE BOX 388

273 Azalea Road - Room 211  
Mobile, Alabama, 36609

November 29, 1966

7300

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

Re: Commercial Acceptance Corporation VS.  
William Clyde Givens, Sr., et al.

Dear Sir:

We are enclosing herewith original and two copies of a Bill of Complaint in behalf of the Plaintiff, Commercial Acceptance Corporation, and would greatly appreciate your filing the original bill, and having the copies served on the defendants.

Also, please return the copy of this letter with your notation of the date the bill of complaint was filed, and the date that service was perfected on the Defendants.

Your prompt attention to the above matter is greatly appreciated.

Very truly yours,

(Mrs.) Lillian M. Givens

Secretary to  
RALPH P. LOVELESS  
For the Firm

:lme  
Encl.

COMMERCIAL ACCEPTANCE  
CORPORATION,

Plaintiff,

vs.

WILLIAM CLYDE GIVENS, SR.  
and ANNIE RUTH GIVENS,  
Husband and wife,

Defendants.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NUMBER: 7300

MOTION TO STRIKE DEMAND FOR JURY TRIAL

Comes now the Plaintiff and moves the Court to strike demand for jury trial contained in Defendants' answer heretofore filed on the grounds that the same comes too late.

CHASON, STONE & CHASON

FILED

JUL 22 1967

Alice L. Duck, Clerk  
REGISTER

By:

John Earl Chason  
Attorneys for Plaintiff

The above and foregoing Motion is hereby set down for hearing the 4<sup>th</sup> day of August, 1967, at 11:00 A.M.

James H. Maskever  
Circuit Judge

COMMERCIAL ACCEPTANCE  
CORPORATION,

Plaintiff,

vs.

WILLIAM CLYDE GIVENS, SR.  
and ANNIE RUTH GIVENS,  
Husband and wife,

Defendants.

X  
X  
X  
X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NUMBER: 7300

MOTION TO STRIKE DEMAND FOR JURY TRIAL

Comes now the Plaintiff and moves the Court to strike  
demand for jury trial contained in Defendants' answer heretofore  
filed on the grounds that the same comes too late.

CHASON, STONE & CHASON

By:

John Earle Chason  
Attorneys for Plaintiff

The above and foregoing Motion is hereby set down for  
hearing the 4<sup>th</sup> day of August, 1967, at 11:00 A.M.

J. J. Madaleno  
Circuit Judge

COMMERCIAL ACCEPTANCE  
CORPORATION,

Plaintiff,

vs.

WILLIAM CLYDE GIVENS, SR.  
and ANNIE RUTH GIVENS,  
Husband and wife,

Defendants.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NUMBER: 7300

MOTION TO STRIKE DEMAND FOR JURY TRIAL

Comes now the Plaintiff and moves the Court to strike demand for jury trial contained in Defendants' answer heretofore filed on the grounds that the same comes too late.

FILED

JUL 24 1967

FILED JUL 24 1967

CHASON, STONE & CHASON

By:

*John E. Chason*  
Attorneys for Plaintiff

The above and foregoing Motion is hereby set down for hearing the 4<sup>th</sup> day of August, 1967, at 11:00AM.

*Robert J. Marshall*  
Circuit Judge

7308

Received 24 day of July 1967  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

I served a copy of the within Motion  
on William Clyde Givens, Jr.  
Annie Ruth Givens

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By \_\_\_\_\_ D. 1

Commercial Acceptance  
Corp. Pety.

vs.

William Clyde Givens,  
Sr. + Annie Ruth Givens,  
husband + wife.

Lillian, aka. Dept.

FILED

JUL 24 1967

ALICE J. DUCK CLERK  
REGISTER

Chason, Stone + Chason

COMMERCIAL ACCEPTANCE CORPORATION,	)	IN THE CIRCUIT COURT OF
	*	
PLAINTIFF,	)	BALDWIN COUNTY, ALABAMA
	*	
VS.	)	AT LAW
	*	
WILLIAM CLYDE GIVENS, SR., and	)	CASE NO. 7300
ANNIE RUTH GIVENS, Husband and Wife,	*	
	)	
DEFENDANTS.	*	

DEMURRER

Comes now the Defendants in above-styled cause, and demurs to the complaint heretofore filed in this cause, and assigns as reasons therefor, to each and every count thereof, separately and severally, the following grounds therefor, to-wit:

1. The complaint is uncertain.
2. The complaint is vague.
3. The complaint does not state a legal cause of action.
4. The complaint fails to allege the lands lie in Baldwin County, Alabama.
5. The complaint fails to allege how Plaintiffs title was acquired.

*Kenneth Cooper*  
ATTORNEY FOR DEFENDANTS

I hereby certify that I have served a copy of the foregoing DEMURRER upon Hon. Ralph P. Loveless, by mailing to him a copy thereof addressed to him at P. O. Box 388, Mobile, Alabama, by depositing the same in United States mail, postage prepaid, at Bay Minette, Alabama, this 29 day of December, 1966.

FILED

DEC 30 1966

ALICE I. DUCK, CLERK  
REGISTER

*Kenneth Cooper*  
ATTORNEY FOR DEFENDANTS

COMMERCIAL ACCEPTANCE CORPORATION, X IN THE CIRCUIT COURT OF  
Plaintiff, X  
VS. X BALDWIN COUNTY, ALABAMA  
WILLIAM CLYDE GIVENS, SR., and X  
ANNIE RUTH GIVENS, Husband and Wife, X  
Defendants. X AT LAW - Case Number: 7302

COUNT ONE

The Plaintiff sues to recover possession of the following tract of land:

Lot Two [2] in Given's Subdivision of part of the Northeast Quarter of the Northwest Quarter, Section 21, Township 6 South, Range 6 East, according to the plat thereof recorded in Map Book 5, at page 213 in the Office of the Judge of Probate of Baldwin County, Alabama,

to the immediate possession of which the Plaintiff is entitled by virtue of the purchase of said land at a sale of same on a foreclosure of a mortgage, and which the Defendants, after termination of their possessory interest, and after the Plaintiff's demand in writing therefor, unlawfully detains, together with FIVE HUNDRED AND NO/100 [\$500.00] DOLLARS for the detention thereof.

COUNT TWO

The Plaintiff sues to recover possession of the following tract of land:

Lot Two [2] in Given's Subdivision of part of the Northeast Quarter of the Northwest Quarter, Section 21, Township 6 South, Range 6 East, according to the plat thereof recorded in Map Book 5, at page 213 in the Office of the Judge of Probate of Baldwin County, Alabama,

to which it has the legal title, and upon which, pending such legal title and before the commencement of this suit, the Defendants entered, and unlawfully withhold, together with FIVE HUNDRED AND NO/100



SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 230

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon William Clyde Givens, Sr. and Annie Ruth Givens,  
husband and wife,

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.....

William Clyde Givens, Sr. & Annie Ruth Givens, Husband & Wife....., Defendant.....

by Commerical Acceptance Corporation,

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

Witness my hand this 30th day of November 1966

Alice J. Luck Clerk

Ex Nov 30, 1966

No. 230

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

COMMERCIAL ACCEPTANCE CORP.,

Plaintiffs

vs.

WILLIAM CLYDE GIVENS, SR., &

Defendants

ANNIE RUTH GIVENS, HUSBAND & WIFE

SUMMONS AND COMPLAINT

Filed NOV 30 1966 19.....

Clerk

Caffey, Gallalee, Edington & Loveless  
273 Azalea Road Room 211  
Mobile, Alabama 36609

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

TAYLOR WILKINS

SHERIFF

19.....

Sheriff

I have executed this summons

this Dec 2 1966

by leaving a copy with

Louise Givens

Ann Givens

for claim 180 dollars

Ten Cents for costs Total 18 05

TAYLOR WILKINS

by Charles Children

Sheriff

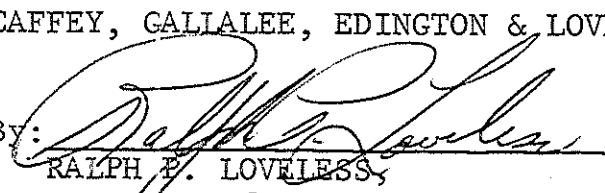
Deputy Sheriff

Annalee

[\$500.00] DOLLARS for the detention thereof.

CAFFEY, GALLALEE, EDINGTON & LOVELESS

By:

  
RALPH E. LOVELESS,

Attorneys for Plaintiff,  
COMMERCIAL ACCEPTANCE CORPORATION,  
P.O. Box 388  
Mobile, Alabama

FILED

NOV 30 1936

CLERK  
REGISTER

Defendants may be served at:

Given's Subdivision  
Seminole, Alabama