

THE STATE OF ALABAMA,  
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Jacob G. Cooper

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that

Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry

Denson and Godfrey Isodore Vincent

is justly indebted to the Plaintiff Jacob G. Cooper

in the sum of EIGHT HUNDRED FIVE (\$805.00) - - - - - Dollars, and

Jacob G. Cooper

having made affidavit and given bond

as required by law, in such cases, you are hereby commanded to attach so much of the estate of

Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry

Denson and Godfrey Isodore Vincent

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said County, on \_\_\_\_\_ Monday of \_\_\_\_\_ 19 \_\_\_\_\_

next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 23rd day of January A. D., 19 67.

Alice J. Duck Clerk.

562

Executed 1-23-67

Jaylon Wilkins &

By W O Garner DS

Received 23 day of Jan 1967

and on 23 day of Jan 1967

I served a copy of the within Attach

on 1963 Buick Electra

perm. tag 881833

By service on and starting at ca

fail

TAYLOR WILKINS, Sheriff

By W. O. Garner D. S.

No. 7346

## ATTACHMENT

Jacob B. Cooper

Vs. { ATTACHMENT

Roger Jae Way  
is ap

Issued 1-23, 1967

Moore Printing Co.

THE STATE OF ALABAMA }  
Baldwin County

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, Jacob G. Cooper and

....., of the County of Baldwin State of Alabama

are held and firmly bound unto Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry Denson and Godfrey Isodore Vincent

in the sum of SIXTEEN HUNDRED TEN (\$1,610.00) - - - - - Dollars, to

be paid to the said Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry Denson and Godfrey Isodore Vincent heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 23rd day of January, 19 67

The Condition of this Obligation is such:

That whereas, the above bounden Jacob G. Cooper

..... ha<sup>s</sup>, on the day of the date

hereof, prayed an Attachment at the suit of Jacob G. Cooper

..... against the estate of above named

Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry Denson and Godfrey Isodore Vincent

for the sum of EIGHT HUNDRED FIVE (\$805.00) - - - - - Dollars, and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said Jacob G. Cooper

should prosecute said Attachment to effect, and pay the said Defendant all such damages as he may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

Jacob G. Cooper (Seal)  
Matthew Lawrence (Seal)  
..... (Seal)  
..... (Seal)

Approved, this 23 day of Jan, 19 67

Miss J. [unclear], Clerk

**THE STATE OF ALABAMA**  
**Baldwin County**

CIRCUIT COURT AT BAY MINETTE, ALABAMA

Before me, Alice J. Duck, Circuit Clerkin and for said County, personally appeared Jacob G. Cooperwho, being duly sworn, on oath saith that Roger Joe Way a/k/a Roger X. Way, Leo William Riley Perry Denson and Godfrey Isodore Vincent justly indebted toJacob G. Cooperin the sum of EIGHT HUNDRED FIVE (\$805.00) Dollars,

which said amount is justly due after allowing all just offsets and discounts, and that the said

Roger Joe Way a/k/a Roger X. Way, Leo William Riley, PerryDenson and Godfrey Isodore Vincent, and that they are about to remove the property out of the State, and that the Plaintiff will probably lose his debt and have to sue for it in another state

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

Subscribed and sworn to before me this 23rd day of January, 19 67

Page

No.

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

At Bay Minette, Ala.

TO

ATTACHMENT BOND AND AFFIDAVIT

Filed this the 23 dayof Jan, 19 67Alice J. Duck, Clerk

Attorney

JACOB G. COOPER,  
Plaintiff,  
Vs.

ROGER JOE WAY, a/k/a  
ROGER X. WAY, LEO WILLIAM  
RILEY, PERRY DENSON and  
GODFREY I. VINCENT,  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

7346

### MOTION TO SET ASIDE JUDGMENT

Comes now Roger Joe Way, a/k/a Roger X. Way, one of the Defendants in above-styled cause, and makes this, his Motion To Set Aside Judgment entered against him in this cause by this Honorable Court on 27 March, 1967, which said judgment was in the amount of \$805.00, which judgment is still in force, unrevoked and unsatisfied, and as grounds for this motion allege and makes known unto this Honorable Court as follows:

1. That on 18 January, 1967, he was confined in the Baldwin County, Alabama Jail, together with the other named three defendants, on a charge of robbery, said robbery alleged to have been committed upon a one Green Cooper.

2. That on the 23<sup>rd</sup> day of January, 1967, the Plaintiff in this cause, Jacob G. Cooper, filed this proceeding in this Honorable Court, and on the same date Taylor Wilkins, Sheriff of Baldwin County, Alabama, by W. O. Garner, Deputy Sheriff, attached one 1963 Buick Electra automobile, Pennsylvania tag no. 881833, which said automobile belonged to your Defendant.

3. That on 27 March, 1967, the Plaintiff took a judgment against your Defendant, which reads as follows, to-wit:

"3-27-67 Judgment by the Court in favor of  
the Plaintiff and against the Defendants for  
\$805.00."

4. That after being locked in the Baldwin County Jail on 18 January, 1967, your Defendant, Roger Joe Way, was held without bond on the charge of robbery, and neither was he permitted by the

Sheriff of Baldwin County to contact a lawyer to represent him in either the robbery case nor the present case at bar, although he did request such permission.

5. That on 11 March, 1967, Your Honor did appoint Kenneth Cooper, Esquire, to represent your Defendant herein in the robbery case pending against him; and he did so represent your Petitioner on 27 March, 1967.

6. That your Defendant retained the said Kenneth Cooper on or about 26 March, 1967, to represent him in this civil suit, this being the first opportunity to employ counsel in this cause, and said counsel learned only on 29 March, 1967, that the aforementioned judgment had been entered against your Defendant.

7. That because of the above-recited facts, your Petitioner makes known unto Your Honor that he has been denied his constitutional rights to have legal counsel to represent him in this legal proceeding, and he hereby seeks to be heard in this cause.

WHEREFORE, THE PREMISES CONSIDERED, your Petitioner, Roger Joe Way, the Defendant in this cause, hereby moves this Honorable Court to set aside the aforementioned judgment of 3-27-67, and allow your Defendant to file the appropriate pleadings in the cause thru his aforementioned attorney, Kenneth Cooper, Esquire.

*Roger Joe Way*

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, Kenneth Cooper, Notary Public, State At Large, State of Alabama, personally appeared Roger Joe Way, a/k/a Roger X. Way, and who being by me first duly and legally sworn, deposes and says that he has knowledge of the facts stated in above Motion To Set Aside Judgment, and that the same are true.

*Roger Joe Way*

Subscribed and sworn to before me this 30 day of March, 1967.

FILED

MAR 30 1967

ALICE J. BUCK, CLERK  
REGISTER

*Kenneth Cooper*

NOTARY PUBLIC,  
STATE AT LARGE, STATE OF ALABAMA

ORDER

The foregoing Motion To Set Aside Judgment having been presented to me on this 31<sup>st</sup> day of March, 1967, for setting a date for hearing said Motion, the said Motion is set down for hearing at 9:00, AM., 12 April, 1967.

Let a copy of this ORDER, together with a copy of the Petition in this cause, be served upon the law firm of Wilters, Brantley and Nesbit, Attorneys At Law, Bay Minette, Alabama, by the Sheriff of Baldwin County, Alabama.

Done this 31<sup>st</sup> day of March, 1967.

Joseph A. Maddux  
CIRCUIT JUDGE

8-18-67 motion for new trial  
denied - Joseph A. Maddux  
judge

Executed

3-31-67  
Taylor Wilkins sh  
WA Folbert D's.

7346

Jacob G. Cooper  
Pltf.

vs.

Roger Joe Way  
Et-al Def

Serve - Tolbert Brantley  
Dated Ex 2

FILED

MAR 31 1967

AUD L. DICK, CLERK  
REGISTERED

Serve - Tolbert Brantley

Received 31 day of March 1967  
Filed on 31 day of March 1967  
Served a copy of the within motion  
on Tolbert Brantley  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. G. Tolbert



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons, Roger Joe Way a/k/a Roger X. Way, Leo William Riley, Perry Denson and Godfrey Isodore Vincent, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the Complaint of Jacob G. Cooper.

Witness my hand, this the 23 day of Jan, 1967.

Alice J. Duck  
Alice J. Duck, Clerk

JACOB G. COOPER X  
Plaintiff, X  
vs. X IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
ROGER JOE WAY a/k/a ROGER X  
X. WAY, LEO WILLIAM RILEY, AT LAW  
PERRY DENSON and GODFREY X  
ISODORE VINCENT, CASE NO. 7346  
Defendants X  
1.

The Plaintiff claims of the Defendants the sum of EIGHT HUNDRED FIVE DOLLARS (\$805.00), damages for that the Defendants did conspire to and did wrongfully take the following goods, chattels and property of the Plaintiff, to-wit: EIGHT HUNDRED FIVE DOLLARS (\$805.00) in lawful currency on, to-wit: the 18th day of January, 1967.

2.

The Plaintiff claims of the Defendants the sum of EIGHT HUNDRED FIVE DOLLARS (\$805.00), for that on, to-wit: January 18, 1967, the Defendants did wrongfully take the property of the Plaintiff, to-wit: EIGHT HUNDRED FIVE DOLLARS (\$805.00) in lawful currency; that said taking was pursuant

to a conspiracy wherein the Defendants did conspire together  
to commit and did commit the aforesaid acts.

WILTERS & BRANTLEY

BY:

*Samuel M. Brantley*  
Attorneys for the Plaintiff

FILED

JAN 23 1967

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Executed 1-23-67  
Taylor Wilkins Jr.  
W O Garner D.S.

Received 23 day of Jan 1967  
and on 23 day of Jan 1967  
I served a copy of the within D.V.C.  
on Roger Jay, Rev Wm. Riley  
Ferry Denson, Gregory D. Vincent  
by service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. O. Garner D. S.  
0 mi.

7346

Jacob C Cooper

O.S.

Roger Joe Way  
et al

Auto Exp

FILED  
JAN 27 1967  
JAN 27 1967  
CLERK  
RECEIVED

Wm. J. Brantley