

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, as  
Assignee of Drs. John E. Foster  
and Julius Michaelson, d/b/a  
Medical Arts Center

Plaintiff

VS.

H. Y. MILLER AND GWENDOLYN  
MILLER

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

NO. 7686

REQUEST FOR DISCOVERY  
OF ASSETS

The Plaintiff herein having recovered on the 5th day of October, 1967, a judgment against the Defendants in the above styled cause for the sum of FOUR HUNDRED SIXTY (\$460.00) DOLLARS and costs and such execution having been returned endorsed by the sheriff of Baldwin County, Alabama, "no property found", the Plaintiff now requests in writing that the Clerk of this Court will issue a notice to the said H. Y. Miller and Gwendolyn Miller requiring them to file in this Honorable Court within thirty days from the service of such notice, a statement in writing under oath, of all the assets of the said H. Y. Miller and Gwendolyn Miller, including money, choses in action, notes, bonds and accounts and all other property, real, personal, or mixed or any interest therein with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of any and all liens, mortgages, or incumbrances thereon, showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

The said H. Y. Miller and Gwendolyn Miller reside at Gulf Shores, Baldwin County, Alabama.

Dated this 19<sup>th</sup> day of February, 1968.

WILKERS, BRANTLEY & NESBIT

BY: [Signature]

Attorneys for Plaintiff and  
Judgment Creditor.

FILED

FEB 19 1968

ALICE J. DUCK

CLERK  
REGISTER

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, as  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS

H. Y. MILLER AND GWENDOLYN  
MILLER

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7686

1.

The Plaintiff claims of the Defendants the sum of THREE HUNDRED NINETY FOUR AND 00/100 (\$394.00) DOLLARS, due from them by account between the Defendants and Drs. John E. Foster and Juilus Michaelson, d/b/a Medical Arts Center, on the 11th day of February, 1965, which sum of money with interest thereon is still unpaid and is the property of the Plaintiff by assignment made to him by Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center on April 1, 1967.

2.

The Plaintiff claims of the Defendants the sum of THREE HUNDRED NINETY FOUR AND 00/100 (\$394.00) DOLLARS, due from them by account between the Defendants and Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, on the 11th day of February, 1965, which sum of money with interest thereon is still unpaid and is the property of the Plaintiff by assignment made to him by Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center on April 1, 1967. A copy of the assignment and an itemized statement of the account sued on and assigned, verified by the affidavit of a competent witness, is attached hereto as Exhibits "A" and "B" and made a part hereof.

WILTERS, BRANTLEY AND MESBIT  
BY: Thos. S. Mesbit  
Attorneys for Plaintiff

FILED

AUG 17 1967

ALICE J. DUCK CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 7686

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ..... H. Y. MILLER AND GWENDOLYN MILLER  
.....  
.....  
.....

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.....

H. Y. MILLER AND GWENDOLYN MILLER....., Defendant.....

by ..... BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE  
.....

OF DRS. JOHN E. FOSTER AND JULIUS MICHAELSON, D7B7A  
..... MEDICAL ARTS CENTER  
....., Plaintiff.....

Witness my hand this..... 17<sup>th</sup>..... day of..... August..... 1967.....

..... Alice Duck..... Clerk

E4:9-1-67

644

*Gulf Shores*

No. *7686*

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

BURTON H. SIVERSTEIN, D/B/A  
AAA ASSIGNMENT SERVICE as  
ASSIGNEE OF DRS. JOHN H. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER Plaintiffs

vs.

H. Y. MILLER AND  
GWENDOLYN MILLER Defendants

SUMMONS AND COMPLAINT

**FILED**

Filed ..... 19.....

AUG 17 1967

Clerk

**ALICE J. DUCK**

CLERK  
REGISTER

WILTERS, BRANTLEY AND NESBIT

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at  
Gulf Shores Alabama

**RECEIVED**  
Received in Office

.....AUG 17 1967.....

.....TAYLOR WILKINS Sheriff

I have executed this summons

this *15<sup>th</sup> Sept* 19*67*  
by leaving a copy with

*H. Y. Miller*  
*Gwendolyn Miller*

Sheriff's clerk *2.00* fees at

Tax Court's per hour fee *20.00*

TAYLOR WILKINS Sheriff

BY *J. M. Eastman*  
Deputy Sheriff

*Taylor Wilkins* Sheriff

*J. M. Eastman* Deputy Sheriff

*Gulf Shores, Ala*

RETURN AND NOTICE OF DISCOVERY OF ASSETS

BURTON H. SILVERSTEIN, d/b/a

AAA ASSIGNMENT SERVICE

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

H. Y. MILLER AND  
GWENDOLYN MILLER

Defendants

AT LAW, CASE NO. 7686

NOTICE TO DEFENDANT

TO:

Take notice that upon the written request of Phyllis S. Nesbit, Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

Be governed accordingly.

Dated this 19 day of February, 19 68.

Alice J. Wink  
Clerk of Circuit Court of  
Baldwin County, Alabama.

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA --GREETING:

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon H. Y. MILLER AND GWENDOLYN MILLER Defendants, and make due return thereon, according to law.

Witness my hand this the 19 day of February, 19 68.

Alice J. Wink  
Clerk, Circuit Court of  
Baldwin County, Alabama

Gulf Shores  
7686

19 day of Feb. 1968

22 day of Feb. 1968

copy of the within Notice of Assets

H. G. Miller,

Gwendolyn Miller

reside on above

TAYLOR WILKINS, Sheriff

J. M. Eastman  
Gulf Shores

Sheriff claims 200 miles in

Ten Cents per mile Total \$ 20.00

TAYLOR WILKINS, Sheriff

BY J. M. Eastman  
DEPUTY SHERIFF

Barton H. Sebastian  
Ala. AHA Assignment  
Service  
P.L.G.

res.

H. G. Miller &  
Gwendolyn Miller  
Gulf Shores, Ala.  
Sept.

Notice of discovery of  
Assets

Wilkes, Gwendolyn's Asset

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, as  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS.

H. Y. MILLER AND GWENDOLYN  
MILLER

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7686

PLAINTIFF'S PETITION TO CITE DEFENDANTS FOR CONTEMPT

Now comes the Plaintiff in the above styled cause and shows that on, to-wit February 15, 1968, a notice was issued out of this Honorable Court by the Clerk thereof requiring the above named Defendants to file a statement of their assets as required by Code 1940, Title 7, 903; That said notice was duly and personally served on the said Defendants on the 23rd day of February, 1968; that said Defendants have willfully refused to file such statement.

The premises considered, the Plaintiff petitions the Court that the said H. Y. Miller and Gwendolyn Miller be cited for contempt of Court and that they be required to appear before the Court, at a time and place to be fixed, to show cause, if any they have, why they should not be held in contempt of Court for willfully refusing to file such statement of assets.

And petitioner will ever pray.

WILTERS, BRANTLEY & NESBIT

BY: *Phyllis Nesbit*

Attorneys for Plaintiff

FILED

APR 11 1968

ALICE J. DUCK CLERK  
REGISTER

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, as  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS.

H. Y. Miller and Gwendolyn  
Miller

Defendants

X IN THE CIRCUIT COURT OF  
X BALDWIN COUNTY, ALABAMA  
X  
X AT LAW  
X  
X NO. \_\_\_\_\_  
X

DECREE CITING JUDGMENT DEBTOR FOR CONTEMPT

Upon consideration of the petition filed herein by the above  
named Defendants on the 11<sup>th</sup> day of April, 1968, praying  
that the said Defendants be cited as for a contempt, it is,

ORDERED, ADJUDGED and DECREED by the Court that the said H. Y.  
Miller and Gwendolyn Miller do be and appear before the Court on the  
25<sup>th</sup> day of April, 1968, at 10:30 A.M. and show cause,  
if any they have, why they should not be held in contempt for willfully  
refusing to file said statement of assets, as required by law.

Let a copy of said petition and this decree be served upon the  
said Defendants.

Dated this the 11<sup>th</sup> day of April, 1968.

Julius J. Madburn  
CIRCUIT JUDGE

FILED

APR 11 1968

ALICE J. DUCK CLERK  
REGISTER



BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, as  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS.

H. Y. MILLER AND GWENDOLYN  
MILLER

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

NO. 7686

D

CITATION TO DEFENDANTS TO SHOW CAUSE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

This day came the Plaintiff, by its attorney, and it appearing to the Court that on the 15th day of February, 1968, the Plaintiff filed with the Clerk of this Court a request for a notice to issue to the Defendants, requiring said Defendants to file a statement of assets as provided by law, and on, towit, February 23, 1968, the Clerk of this Court issued notice to said Defendants and was served by the Sheriff of Baldwin County on the Defendants on the 23<sup>rd</sup> day of Feb., 1968; and it further appearing to the Court that the Defendants have failed to file said statement of assets as provided by law; It is therefore ordered by the Court that citation be issued requiring the Defendants to appear before this Court on the 25 day of April, 1968 at 10:30 A.M., and show cause why he should not be held in contempt of this Court for failing to file said statement of assets, as required by law.

It is further ordered by the Court that a copy of this order be served upon the said Defendants by the Sheriff of this County.

These are therefore to command you, that you make known the premises aforesaid to the said H. Y. Miller and Gwendolyn Miller and that they be and appear before this Court on the 25 day of April, 1968, at 10:30 A.M., and show cause why they should not be held in contempt of this Court for failing to file said Statement of assets, as required by law; and have you then and there this writ with your endorsement thereon.

Witness, \_\_\_\_\_, Clerk of the Circuit Court  
of Baldwin County, Alabama this the \_\_\_\_\_ day of \_\_\_\_\_, 1968.

Gene J. Smith  
Clerk  
649

SHERIFF'S RETURN

Executed by serving a copy of the within on H. Y. Miller and Gwendolyn Miller, this the \_\_\_\_\_ day of \_\_\_\_\_, 1968.

Sheriff of Baldwin County, Alabama

Gulf Shores  
7686

Burton H. Silverstein

VS.

H. Y. Miller  
and

Gwendolyn Miller

1. Petition

2. ~~deceit~~ Citing Judge

3. Citation

Received 11 day of April 1968  
on 17 day of April 1968  
served a copy of the within Pet. Decree + Ct.  
H. Y. Miller  
Gwendolyn Miller  
service on Abner

TAYLOR WILKINS, Sheriff  
By Gulf Shores D. S.

TAYLOR WILKINS, SHERIFF OF BALDWIN  
COUNTY, ALABAMA, CLAIM \$1.50 EACH  
FOR SERVING 2 PROCESS(ES) AND  
TRAVEL EXPENSE ON EACH OF \$ 20 <sup>00</sup>  
PROCESS(ES) OR A TOTAL OF \$ 23 <sup>00</sup>

BURTON H. SILVERSTEIN, d/b/a	)	
AAA ASSIGNMENT SERVICE, as	)	
ASSIGNEE OF DRS. JOHN E. FOSTER	)	
AND JULIUS MICHAELSON, d/b/a	)	IN THE CIRCUIT COURT OF
MEDICAL ARTS CENTER,	)	
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	
	)	AT LAW
VS.	)	
	)	CASE NO. 7686
H.Y. MILLER and GWENDOLYN	)	
MILLER,	)	
	)	
Defendants.	)	

DECREE SENTENCING FOR CONTEMPT

This cause coming on to be further heard was submitted for decree upon petition of Phyllis S. Nesbit, Attorney for Burton H. Silverstein, d/b/a AAA Assignment Service, as Assignee of Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, the rule nisi issued against the Defendant, H. Y. Miller, and testimony heard orally in open Court, and the same being considered and understood the Court is of the opinion that H. Y. Miller should be adjudged in contempt of Court for his failure to comply with the terms of the decree heretofore entered in this cause and should be held in contempt and sentenced to 5 days in jail and a fine of ~~\$1 53.2~~ \$5.00 Dollars (\$5.00 ) as hereinafter decreed.

It is therefore ordered, adjudged and decreed by the Court that the said H. Y. Miller be and he hereby is adjudged in contempt of this Court and is ordered committed to the jail of Baldwin County, Alabama, for a period of 5 days and the Sheriff of Baldwin County is hereby ordered and directed to take possession of said H. Y. Miller and commit him to said Baldwin County jail for 5 days.

It is further ordered that the Dyundant, H. G. Miller  
be taxed with the costs accrued by reason of said petition and this  
Writ.

Done and ordered, this the 12<sup>th</sup> day of <sup>May</sup>~~April~~, 1968,

Telfair Mashburn  
Telfair Mashburn  
Circuit Judge

7686

RECEIVED

MAY 2 1968

YACOB HILKIN

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

By arresting the within named Defendant

H. Y. Miller

and placing him \_\_\_\_\_

At \_\_\_\_\_ By \_\_\_\_\_

Place of arrest \_\_\_\_\_

Ret. by order  
of the Judge

Burton H. Silverstein d/b  
A.A.A. Assignment Service

vs.

H. Y. Miller & Evelyn  
Miller

Verdict: Sentencing for  
contempt (Under arrest)

Winters, Brantley & Nesbit

BURTON H. SILVERSTEIN, d/b/a	)	
AAA ASSIGNMENT SERVICE, as	)	
ASSIGNEE OF DRS. JOHN E. FOSTER	)	IN THE CIRCUIT COURT OF
AND JULIUS MICHAELSON, d/b/a	)	
MEDICAL ARTS CENTER,	)	BALDWIN COUNTY, ALABAMA
Plaintiff	)	
	)	AT LAW
VS.	)	
	)	CASE NO. 7686
H.Y. MILLER and GWENDOLYN	)	
MILLER,	)	
Defendants.	)	

DECREE SENTENCING FOR CONTEMPT

This cause coming on to be further heard was submitted for decree upon petition of Phyllis S. Nesbit, Attorney for Burton H. Silverstein, d/b/a AAA Assignment Service, as Assignee of Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, the rule nisi issued against the Defendant, Gwendolyn Miller, and testimony heard orally in open Court, and the same being considered and understood the Court is of the opinion that Gwendolyn Miller should be adjudged in contempt of Court for her failure to comply with the terms of the decree heretofore entered in this cause and should be held in contempt and sentenced to 5 days in jail and a fine of Five Dollars (\$~~5.00~~<sup>00</sup>) as hereinafter decreed.

It is therefore ordered, adjudged and decreed by the Court that the said Gwendolyn Miller be and she hereby is adjudged in contempt of this Court and is ordered committed to the jail of Baldwin County, Alabama, for a period of 5 days and the Sheriff of Baldwin County is hereby ordered and directed to take possession of said Gwendolyn Miller and commit her to said Baldwin County jail for 5 days.

It is further ordered that the Isabel Lynn Miller  
be taxed with the costs accrued by reason of said petition and this  
Writ.

Done and ordered, this the 1st day of May, 1968.

Telfair H. Mashburn  
Telfair Mashburn  
Circuit Judge

FILED

MAY 2 1968

ALICE J. DUCK CLERK  
REGISTER

Returned by order of Judge



7686

RECEIVED

MAY 2 1968

U.S. DEPT. OF JUSTICE

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

By arresting the within named Defendent

Guendolyn Miller

and placing him \_\_\_\_\_

Wiles \_\_\_\_\_ By \_\_\_\_\_

D. S.

Place of arrest \_\_\_\_\_

Ret. by order of  
The Judge

Burton H. Silberstein  
d/w. AAF Assignment  
Service

no.

H. Y. Miller & Guendolyn  
Miller

left.

Secrec. Rendering for  
Contempt (Under Arrest)

Winters, Brantley & Nesbit

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, AS  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS.

H. Y. MILLER ~~AND Gwendolyn Miller~~  
~~MILLER~~

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7686

PLAINTIFF'S PETITION TO CITE DEFENDANTS FOR CONTEMPT

Now comes the Plaintiff in the above styled cause and shows that on, to-wit, February 15, 1968, a notice was issued out of this Honorable Court by the Clerk thereof requiring the above named Defendants to file a statement of their assets as required by Code 1940, Title 7, 903; that said notice was duly and personally served on the said Defendants on the 23rd day of February, 1968; that said Defendants willfully refused to file such statement.

The Plaintiff further shows unto this Honorable Court that on the 6 day of ~~April~~ <sup>May</sup>, 1968, this Honorable Court ordered that the Defendants be adjudged in contempt and be committed to the jail of Baldwin County, Alabama, and when said Defendants were brought before the Judge by the sheriff of Baldwin County to purge themselves of contempt, they agreed to pay to the Plaintiff the sum of FIFTY DOLLARS (\$50.00) cash and TWENTY-FIVE DOLLARS (\$25.00) per month to the Court until the default judgment and costs taken against them in this Court on October 5, 1967, in the amount of \$460.00 and costs was paid.

The Plaintiff shows further that the \$50.00 was paid on or about May 6, 1968 and that the said Defendants have willfully disregarded their agreement to pay into the Court, monthly, the sum of \$25.00 on the balance of the judgment and costs.

The premises considered, the Plaintiff petitions the Court that the said H. Y. Miller and ~~Gwendolyn Miller~~ be cited for contempt of Court and that they be required to appear before the Court, at a time and place to be fixed, to show cause, if any they have, why they should not be held in contempt of Court for willfully refusing to pay the sum of \$25.00 per month as promised to the Court in order to purge themselves of contempt.

And Petitioner will ever pray.

WILTERS, BRANTLEY & NESBIT

BY:

Charles L. Nesbit  
Attorney for Plaintiff

FILED

AUG 8 1968

ALICE J. DUCK

CLERK  
REGISTER

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, AS  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

VS.

H. Y. MILLER ~~AND Gwendolyn Miller~~  
~~MILLER~~

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7686

DECREE CITING JUDGMENT DEBTOR FOR CONTEMPT

Upon consideration of the petition filed herein by the  
above named Defendants on the 28<sup>th</sup> day of August, 1968, praying  
that the said Defendants be cited as for a contempt, it is,

ORDERED, ADJUDGED and DECREED by the Court that the said H. Y.  
Miller and ~~Gwendolyn Miller~~ do be and appear before the Court on the  
28<sup>th</sup> day of August, 1968, at 9:00 A.M. and show cause, if  
any they have, why they should not be held in contempt for willfully  
refusing to pay the sum of \$25.00 per month as promised to the Court  
in order to purge themselves of contempt..

Let a copy of said petition and this Decree be served upon  
the said Defendants.

Dated this the 8<sup>th</sup> day of August, 1968.

Jack H. Madlener  
Circuit Judge

Gulf Shores  
No. 7686

Barton H. Silverstein

8 day of Aug 19 68  
21 day of Aug 19 68  
a copy of the within Pet & Order  
74 y. Miller  
vice on Above

TAYLOR WILKINS, Sheriff  
By Pauline J. Eastburn D.S.  
Pauline J. Eastburn D.S.  
Gulf Shores, Ala.

100 miles at  
Cost per mile Total \$ 10.00  
TAYLOR WILKINS, Sheriff  
Eastburn

VS

H. Y. Miller

FILED

AUG 7 1968

ALICE J. DUCK

CLERK  
REGISTER

Nesbitt

BURTON H. SILVERSTEIN, d/b/a  
AAA ASSIGNMENT SERVICE, AS  
ASSIGNEE OF DRS. JOHN E. FOSTER  
AND JULIUS MICHAELSON, d/b/a  
MEDICAL ARTS CENTER

Plaintiff

vs.

H. Y. MILLER

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

CASE NO. 7686

A N S W E R

T O

PLAINTIFF'S PETITION TO CITE DEFENDANT'S FOR CONTEMPT

Comes now the Defendant H. Y. Miller, by his attorney, and for ANSWER to Plaintiff's Petition To Cite Defendants For Contempt, saith as follows, to-wit:

1. Defendant H. Y. Miller admits that portion of Plaintiffs Petition which alleges Defendant paid Fifty Dollars to the Court on or about the 6th day of May, 1968, but denies that he agreed to pay Twenty-five dollars per month thereafter to the Court until the default judgment of 5 October, 1967, in the amount of \$460.00 was paid. Instead thereof, Defendant stated he would do his best to pay such payments if he was financially able to do so; and your Defendant makes known unto this Honorable Court that since 6 May, 1968, he has been financially unable to make the said payments, although he has tried to do so.

2. That this Honorable Court is without authority to order your Defendant to jail for failure to pay any amount of the indebtedness recovered by the Plaintiffs against Your Defendant.

3. That Your Defendant is willing to pay on the indebtedness due in this cause, but he is not physically able, nor financially able to pay any of said indebedness at this time.

FILED


AUG 28 1968

AUG 28 1968

CLERK  
REGISTER

*H. Y. Miller*  
*Kenneth Cooper*  
ATTORNEY FOR DEFENDANT

I certify that I have mailed a copy of the foregoing Answer To Plaintiff's Petition to Cite Defendant's For Contempt to Honorable Phyllis Nesbit, Robertsdale, Alabama, by depositing the same in United States Mail, postage prepaid, at Bay Minette, Alabama, on this 28 day of August, 1968.

  
NOTARY PUBLIC  
STATE AT LARGE, STATE OF ALABAMA