

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

January 17, 1968

76912

Honorable Taylor Wilkins
Sheriff of Baldwin County
Bay Minette, Alabama

Dear Taylor:

Several months ago I filed a suit on behalf of Robert D. Wright against Cecil Ray Sims and Carolyn Sims. You were unable to serve this summons and complaint because they were supposedly living in Mobile County at that time.

I have ascertained that they now live in Bay Minette and he is employed at International Paper Company. I do not know his exact address at this time, but do know that he is constructing a dwelling house near the Rabun Community on property which he recently obtained from his father, James Sims.

By copy of this letter, I am asking Mrs. Duck to return the summons and complaint to you and request that you make another effort to serve the defendant.

Yours very truly,

JAMES R. OWEN

JRO/ers

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

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Cecil Ray Sims and Carolyn Sims 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 Robert Dale Wright.

WITNESS my hand this 22 day of August, 1967.

Miss L. H. H. H.
Clerk

The defendants reside at Rabun, Alabama.

* * * * *

ROBERT DALE WRIGHT,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
CECIL RAY SIMS and)	AT LAW
CAROLYN SIMS,)	<i>NO. 7696</i>
)	
Defendants.)	


C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant, Cecil Ray Sims, the sum of Six Hundred Fifty Dollars (\$650.00) for that heretofore on to-wit, March 19, 1967, at a point on U. S. Highway 90, Baldwin County, Alabama, in front of Middleton's Garage the said defendant negligently operated a motor vehicle as to cause it to run into, upon or against the motor vehicle of plaintiff and as a proximate result of the negligence of the said defendant the plaintiff's automobile was damaged as follows: the entire left side of plaintiff's car was bent, broken and damaged; the radiator of plaintiff's car was damaged and plaintiff was put to much inconvenience and loss of time in and about the repair of his said automobile. Plaintiff avers that all of his damages were caused as a result of the negligence of the defendant, Cecil Ray Sims, at said time and place, hence this suit.

COUNT TWO

Plaintiff claims of the defendants the sum of Six Hundred Fifty Dollars (\$650.00) for that heretofore on to-wit, March 19, 1967, at a point on U. S. Highway 90 in Baldwin County, Alabama, in front of Middleton's Garage, the defendant, Cecil Ray Sims, who was then and there an agent, servant or employee of Carolyn Sims, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a motor vehicle so as to cause it to run into, upon or against the motor vehicle of the plaintiff, which was at said time and place being operated on U. S. Highway 90 where it had a right to be and as a proximate result of the negligence of the said defendant, Cecil Ray Sims, the plaintiff's automobile was damaged as follows: the entire left side of plaintiff's car was bent, broken and damaged; the radiator of plaintiff's car was damaged and plaintiff was put to much inconvenience and loss of time in and about the repair of his said automobile. Plaintiff avers that all of his damages were caused as a proximate result of the negligence of Cecil Ray Sims, who was then and there an agent, servant or employee of the defendant, Carolyn Sims, acting within the line and scope of his authority as such agent, servant or employee.


Attorney for Plaintiff

FILED

AUG 22 1967

ALICE J. DUCK CLERK
REGISTER

18 Jan. 68

received ~~at~~ day of Aug 1967

at on 22 day of Jan 1968

served a copy of the within ad
to Cecil Ray Sims
Carolee Sims

Y service on

TAYLOR WILKINS, Sheriff
By W. C. Welch
Robert

~~Returned~~ ~~at~~ day of Sept 1967
~~Not found in my county after diligent search and in~~
~~quiry~~

Taylor Wilkins, Sheriff
By W. C. Welch
Deputy Sheriff

live in mobile
county

Sheriff claims 44 miles at
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
By W. C. Welch
Deputy Sheriff

No. 7696

Robert Dale Whigham

US

Cecil Ray Sims
of

Carroll Sims
Box 396
Jug Robert
may be working
at International

FILED

AUG 22 1967

ALICE J. DICK
CLERK
REGISTER

Jesse R. Brown
Atty.

ROBERT DALE WRIGHT,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
CECIL RAY SIMS,)	AT LAW NO. 7696
)	
Defendant.)	

NOTICE

TO CECIL RAY SIMS, DEFENDANT:

Take notice, that, whereas, the plaintiff in the above styled cause has requested in writing the undersigned, as Clerk of said court, to issue notice to you, as defendant, in the above styled cause and in the judgment therein, requiring you to file a statement in writing, under oath, of all of your assets, as provided by Title 7, Section 903 of the Code of Alabama and has filed said request in writing in this cause with the undersigned, as Clerk of this court, and it appearing from said request and the record in said cause that an execution was returned on the judgment in this cause endorsed "No Property Found" by the Sheriff of Baldwin County and that you reside in the State of Alabama.

Now, therefore, you are hereby required, within thirty days from the service hereof, to file in this court, a statement, in writing, under oath, of all your assets, including money, choses in action, notes, bonds, and accounts, and all other property, real, personal or mixed, or any interest therein, with a detail description of the same, the location and reasonable value of each item thereof, together with a detail list or statement of any and all liens, mortgages or encumbrances thereon, showing the amount due upon each, and the owner or holder of such liens, encumbrances or mortgages.

WITNESS my hand this 29 day of May, 1970.

Alice J. Duck
Clerk

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TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to serve the foregoing notice upon Cecil Ray Sims, defendant, and make due return of your said service and of this notice, within thirty days from this date, how you have executed the same.

WITNESS my hand this 29 day of May, 1970.

Alice J. Week
Clerk

Defendant resides on the paved road from Stockton to Rabun.

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24-6-1-70

28337

7696

Robert Dale Wright

vs.

Cecil Ray Sims

TAYLOR WILKINS, Sheriff
By H. A. Abbott D. S.

By service on

on

I served a copy of the within

and on

Received

29

day of

May

1970

day of

July

1970

Notice

Cecil Ray Sims

DEPUTY SHERIFF

BY

TAYLOR WILKINS, Sheriff

Ten Cents per mile Total \$ 1.00

Sheriff claims 22 miles at

FILED

MAY 29 1970

ALICE J. BUCK
CLERK
REGISTER

J. R. Wren

CECIL RAY SIMS,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 7696

REQUEST FOR DISCOVERY OF ASSETS

The plaintiff herein having recovered at the March term 1969, a judgment against the defendant in the above styled cause for the sum of \$650.00 and costs in the amount of \$23.90 and 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 issue a notice to the above named defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character, and description and wheresoever located as provided by Title 7, Section 903 of Code of Alabama.

~~Attorney for Plaintiff~~

FILED

MAR 19 1970

ALICE J. BUCK CLERK
REGISTER

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ROBERT DALE WRIGHT,	X		
		IN THE CIRCUIT COURT OF	
Plaintiff,	X		
vs.	X	BALDWIN COUNTY, ALABAMA	
CECIL RAY SIMS,	X		
		AT LAW	NO. 7696
Defendant.	X		

STATEMENT OF ASSETS

Comes now Cecil Ray Sims, the Defendant in the above styled cause, and makes this his sworn answer pursuant to Title 7, Section 903 of the Code of Alabama and says as follows:

That my assets, including money, choses in action, notes, bonds and accounts and all other property, real or personal or mixed, together with a description thereof and the location and value of each, is as follows:

1. Checking account in the Baldwin County Bank, Bay Minette, Alabama, with a balance as of this date of \$ 4.55.
2. A one-acre parcel with a shell home situated there-upon located near Rabun, Alabama, of an approximate value of Four Thousand Dollars (\$4,000.00). This property is subject to a mortgage to Mid-States Homes of Tampa, Florida, made approximately three years ago and on which there is a balance due of Seven Thousand One Hundred Fifty-five Dollars and Eighty Cents (\$7,155.80) including interest.
3. One 1968 Plymouth Valiant of the approximate value of One Thousand Dollars (\$1,000.00), which is financed through the Friendly Credit Union, Mobile, Alabama, with a balance due as of this date of approximately One Thousand Three Hundred Forty Dollars (\$1,340.00) including interest.
4. Assorted household furniture of the approximate value of Three Hundred Fifty Dollars (\$350.00) mortgaged to the Western Auto Store in Bay Minette, Alabama, which said mortgage as of this date has a balance due of ^{Eight} ~~Five~~ Hundred ^{Eighty Five} ~~Thirty-two~~ Dollars

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~~SEVENTY~~ ^{885.70}
and ~~Forty-seven~~ Cents (\$532.47) including interest.

5. One 1961 Ford pick-up truck of the approximate value of Four Hundred Dollars (\$400.00). I have a second note at the Friendly Credit Union in Mobile with a balance due of approximately One Thousand Three Hundred Fifty Dollars (\$1,350.00) which possibly includes as collateral security this pick-up truck and other personal property. I do not have a copy of the note and I am not able to state with certainty whether said note is so secured.

Witness my hand this 23rd day of June, 1970.

Cecil Ray Sims
Cecil Ray Sims

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Cecil Ray Sims, who after being by me first duly and legally sworn, did depose and say under oath as follows:

That he read the foregoing instrument and the facts alleged therein are true and correct.

Cecil Ray Sims
Cecil Ray Sims

Sworn to and subscribed before me this

23rd day of June, 1970.

Julius H. Brock
Notary Public, Baldwin County, Alabama

FILED

JUN 29 1970

ALICE J. DUCK CLERK
REGISTER

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