

~~STATEMENT~~

JAMES W. HOWELL

ATTORNEY AT LAW

FOLEY, ALABAMA 36535

POST OFFICE BOX 206

AREA CODE 205-943-3602

September 30, 1967

Mrs. Alice Duck
Circuit Clerk
Baldwin County
Bay Minette, Alabama

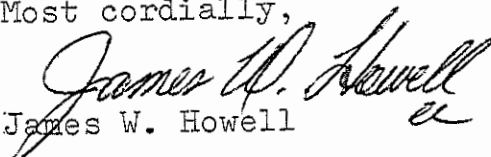
RE: Material Sales Co., Inc. VS. Marvin Miller and Keifer Jarvis

Dear Mrs. Duck:

Please file the enclosed plea in the above referenced case.

Thank you very much.

Most cordially,


James W. Howell

JWH:ec
enc:

MATERIAL SALES COMPANY, INC.,
A CORPORATION,

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

PETITION

NOW COMES THE PLAINTIFF AND RESPECTFULLY SHOWS UNTO THE COURT THAT IT FILED A REQUEST IN WRITING TO THE CLERK OF THIS COURT TO ISSUE NOTICE TO THE DEFENDANT REQUIRING HIM TO FILE A STATEMENT IN WRITING UNDER OATH OF ALL HIS ASSETS, AS PROVIDED IN IN TITLE 7, SECTION 903, ALABAMA CODE 1940, AND SAID NOTICE BEING SERVED UPON THE DEFENDANT, MARVIN MILLER, ON SEPTEMBER 11, 1969, AND IT APPEARING THAT THE DEFENDANT HAS FOR MORE THAN THIRTY (30) DAYS FROM THE SERVICE THEREOF FAILED TO FILE SUCH STATEMENT IN COURT;

WHEREFORE, THE PLAINTIFF RESPECTFULLY PRAYS THAT THIS COURT MAKE AND ENTER AN ORDER REQUIRING SAID DEFENDANT TO SHOW CAUSE, IF ANY HE HAS, WHY HE SHOULD NOT BE ADJUDGED GUILTY OF CONTEMPT OF THIS COURT FOR FAILURE TO OBEY AN ORDER OF THIS COURT REQUIRING HIM TO FILE A STATEMENT, IN WRITING, UNDER OATH, OF ALL HIS ASSETS, AS PROVIDED IN TITLE 7, SECTION 903, ALABAMA CODE, 1940, AS AMENDED.

BAILEY & TAYLOR

By *Robert E. Taylor*
ATTORNEYS FOR THE PLAINTIFF

FILED

AUG 13 1970

VOL

63

PAGE 911

ALICE J. DUCK

CLERK
REGISTER

MATERIAL SALES, CO., INC.

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW # 7713

DEFENDANT MAY BE SERVED AT

Rt 2 FOLEY, ALABAMA

MATERIAL SALES, COMPANY, INC.,
A CORPORATION,

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO: 7713

RULE TO SHOW CAUSE

MATERIAL SALES COMPANY, INC., A CORPORATION, HAVING HERE-
IN FILED ITS VERIFIED PETITION PRAYING THAT MARVIN MILLER, DEFEN-
DANT HEREIN, BE REQUIRED TO APPEAR AND SHOW CAUSE, IF ANY HE HAVE,
WHY HE SHOULD NOT BE PUNISHED FOR CONTEMPT FOR FAILURE TO FILE A
STATEMENT IN WRITING, UNDER OATH, OF ALL HIS ASSETS AS PROVIDED IN
TITLE 7, SECTION 903, CODE OF ALABAMA, AND UPON CONSIDERATION
THEREOF, IT IS THEREFORE,

ORDERED, ADJUDGED AND DECREED BY THE COURT THAT THE SAID
MARVIN MILLER, DEFENDANT, APPEAR BEFORE THIS COURT AT 10:00
O'CLOCK, 4 . M., ON THE 24th DAY OF August,
1970, IN THE COURTROOM OF THE CIRCUIT COURT OF BALDWIN COUNTY,
BAY MINETTE, ALABAMA, AND THEN AND THERE SHOW CAUSE, IF ANY HE HAS,
WHY HE SHOULD NOT BE PUNISHED FOR CONTEMPT.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT A COPY
OF SAID PETITION OF THIS RULE TO SHOW CAUSE BE SERVED FORTHWITH,
UPON THE SAID MARVIN MILLER, BY THE SHERIFF OF BALDWIN COUNTY,
ALABAMA.

DONE THIS 13th DAY OF August, 1970.

J. J. Madeline
JUDGE OF CIRCUIT COURT

FILED

AUG 13 1970

MATERIAL SALES, CO. INC.

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

Sheriff's Office
Ten Cents per mile Total \$10.00 miles at
BY Taylor Wilkins Sheriff
DEPUTY SHERIFF

Received 13 day of Aug 1977
and on 19 day of Aug 1977
I served a copy of the within Return to show Cause
on Marvin Miller Petitioner

By service on

Taylor Wilkins, Sheriff
Deputy Sheriff

100 mi

MATERIAL SALES, COMPANY, INC.,
A CORPORATION,

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY ALABAMA

AT LAW

CASE NO: 7713

RULE TO SHOW CAUSE

MATERIAL SALES COMPANY, INC., A CORPORATION, HAVING HERE-
IN FILED ITS VERIFIED PETITION PRAYING THAT MARVIN MILLER, DEFEN-
DANT HEREIN, BE REQUIRED TO APPEAR AND SHOW CAUSE, IF ANY HE HAVE,
WHY HE SHOULD NOT BE PUNISHED FOR CONTEMPT FOR FAILURE TO FILE A
STATEMENT IN WRITING, UNDER OATH, OF ALL HIS ASSETS AS PROVIDED IN
TITLE 7, SECTION 903, CODE OF ALABAMA, AND UPON CONSIDERATION
THEREOF, IT IS THEREFORE,

ORDERED, ADJUDGED AND DECREED BY THE COURT THAT THE SAID
MARVIN MILLER, DEFENDANT, APPEAR BEFORE THIS COURT AT 9:20 O'CLOCK
A. M., ON THE 22nd DAY OF February, 1970, IN
THE COURTROOM OF THE CIRCUIT COURT OF BALDWIN COUNTY, BAY MINETTE,
ALABAMA AND THEN AND THERE SHOW CAUSE, IF ANY HE HAS, WHY HE SHOULD
NOT BE PUNISHED FOR CONTEMPT.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT A COPY OF
SAID PETITION OF THIS RULE TO SHOW CAUSE BE SERVED FORTHWITH,
UPON THE SAID MARVIN MILLER, BY THE SHERIFF OF BALDWIN COUNTY,
ALABAMA.

DONE THIS 12th DAY OF February, 1970.

J. A. Madalene
JUDGE OF CIRCUIT COURT

FILED

FEB 12 1970

ALICE J. DUCK CLERK
REGISTER

RULE TO SHOW CAUSE

MATERIAL SALES, CO., INC.,
A CORPORATION,

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

Received 17 day of Oct 1977
and on 13 day of Oct 1977
I served a copy of the within 44C
on Marvin Miller

By service on

TAYLOR WILKINS, Sheriff
BY [Signature]

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff
BY [Signature]
DEPUTY SHERIFF

Page 2

STATE OF ALABAMA
COUNTY OF BALDWIN

Wm F. Ruffler III

NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA

Material Sales Co. Inc.

PARHOELLA PARVO

DATE MEMO		CHARGES	DATE MEMO		CREDITS	BALANCE	
BALANCE FORWARDED							

Material Sales Co., Inc.
FAIRHOPE, ALABAMA

STATE OF ALABAMA)
)
COUNTY OF BALDWIN)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO SUMMON MARVIN MILLER AND KIEFER JARVIS, INDIVIDUALLY AND D/B/A GULF SHORES PLUMBING & ELECTRIC, TO APPEAR AND ANSWER, PLEAD OR DEMUR, WITHIN THIRTY DAYS FROM THE SERVICE OF THIS WRIT, TO A BILL OF COMPLAINT FILED AGAINST THEM IN CIRCUIT COURT, AT LAW, FOR SAID COUNTY AND STATE BY MATERIAL SALES COMPANY, INC.

HEREIN FAIL NOT. DUE RETURN OF THIS WRIT MAKE AS THE LAW DIRECTS.

WITNESS MY HAND THIS THE 30 DAY OF AUGUST, 1967.

Ernest M. Bailey
REGISTER

MATERIAL SALES COMPANY, INC.,
AN ALABAMA CORPORATION,

PLAINTIFF

VS

MARVIN MILLER AND KIEFER JARVIS,
INDIVIDUALLY, AND D/B/A GULF SHORES
PLUMBING & ELECTRIC,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

COUNT ONE:

THE PLAINTIFF CLAIMS OF THE DEFENDANTS THE SUM OF TWELVE HUNDRED NINETY-SIX AND 99/100 (\$1,296.99) DOLLARS DUE FROM THEM BY ACCOUNT ON THE 25TH DAY OF APRIL, 1967, WHICH SUM OF MONEY, WITH THE INTEREST THEREON, IS STILL UNPAID.

COUNT TWO:

THE PLAINTIFF CLAIMS OF THE DEFENDANTS THE SUM OF TWELVE HUNDRED NINETY-SIX AND 99/100 (\$1,296.99) DOLLARS DUE FROM THEM FOR MATERIALS AND LABOR FURNISHED TO DEFENDANTS BY PLAINTIFF, AT THEIR REQUEST, FROM MARCH 10, 1967 TO APRIL 25, 1967, WHICH SUM OF MONEY, WITH THE INTEREST THEREON, IS STILL UNPAID.

Ernest M. Bailey
ERNEST M. BAILEY
ATTORNEY FOR PLAINTIFF

VERIFIED AND ITEMIZED STATEMENT
OF ACCOUNT ATTACHED TO ORIGINAL HERE 63 PAGE 905
VOL

AUG 30 1967

Received 30 day of Aug. 1967
and on 1 day of Sept 1967
I served a copy of the within etc
on Martin Miller 9-1-67
Kiefer Jarvis 9-1-67
By service on Abell

AT LAW CASE NO. 7713

TAYLOR WILKINS, Sheriff
By Sam Eastman D. S.
Paul Thomas, Jr.

PLAINTIFF

VS

MARVIN MILLER AND KIEFER JARVIS,
INDIVIDUALLY, AND D/B/A GULF
SHORES PLUMBING & ELECTRIC,

DEFENDANTS

Street cleaning 200
 Gas Cans per mile Total 20.
 YEAR 1964-1965
 BY J. M. Eastman
 District Engineer

Tunn at Catholic church
 1st past Dr. Schramb aff.
 yellow bus -
 ALICE J. DUCK
 CLERK
 REGISTRO

we find for the
Plaintiff's cost
against the
Defendants in
the amount of

E. M. Bailey
att'y

MATERIAL SALES, COMPANY, INC.,)
A CORPORATION,)

PLAINTIFF)

VS)

MARVIN MILLER,)

DEFENDANT)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY ALABAMA

AT LAW

CASE NO: 7713

PETITION

Now comes the Plaintiff and respectfully shows unto the Court that it filed a request in writing to the Clerk of this Court to issue notice to the defendant requiring him to file a statement in writing under oath of all his assets, as provided in Title 7, Section 903, Alabama Code 1940, and said notice being served upon the defendant, Marvin Miller, on September 11, 1969, and it appearing that the defendant has for more than thirty (30) days from the service thereof failed to file such statement in Court;

Wherefore, the Plaintiff respectfully prays that this Court make and enter an order requiring said defendant to show cause, if any he has, why he should not be adjudged guilty of contempt of this Court for failure to obey an order of this Court requiring him to file a statement, in writing, under oath, of all his assets, as provided in Title 7, Section 903, Alabama Code, 1940, as amended.

BAILEY & TAYLOR

By: 

ATTORNEYS FOR THE PLAINTIFF

FILED

FEB 12 1970

ALICE J. DUCK

CLERK
REGISTER

VOL

63

PAGE 910

PETITION

MATERIAL SALES, CO., INC.,
A CORPORATION,

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

FILED

FEB 12 1970

FOR DEPT. OF REVENUE
ASS. CLERK
CLERK
DEPT. OF REVENUE
REGISTER

MATERIAL SALES COMPANY, INC.
A CORPORATION,

PLAINTIFF,

VS.

KARVIN MILLER,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW. CASE No. 7715

~~THE PLAINTIFF HEREIN HAVING RECOVERED ON THE 12TH DAY~~
OF DECEMBER, 1968, A JUDGMENT AGAINST THE DEFENDANT IN THE ABOVE
STYLED CAUSE FOR THE SUM OF FOURTEEN HUNDRED TWENTY-SIX & 53/100
(\$1426.59) DOLLARS AND COSTS AND SUCH EXECUTION HAVING BEEN RE-
TURNED 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 ABOVE NAMED DEFEND-
ANT REQUIRING HIM, WITHIN THIRTY (30) 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 DESCRIP-
TION AND WHERESOEVER LOCATED AS PROVIDED BY CODE 1940, TITLE 7,
Sec. 903.

Robert E. Taylor
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA,
COUNTY OF BALDWIN.

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEAR-
ED WILLIAM R. RUFFLES, JR., WHO BEING BY ME FIRST DULY SWORN,
DEPOSES AND SAYS: THAT HE IS THE PRESIDENT OF MATERIAL SALES
COMPANY, INC., A CORPORATION, COGNIZANT OF THE FACTS HEREIN
STATED, AND AUTHORIZED TO MAKE THIS AFFIDAVIT, AND THAT THE FACTS
STATED IN THE FOREGOING REQUEST FOR DISCOVERY OF ASSETS ARE
TRUE ACCORDING TO THE BEST OF HIS KNOWLEDGE, INFORMATION AND
BELIEF.

William R. Ruffles, Jr.
WILLIAM R. RUFFLES, JR.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF July
1968.

FILED

JUL 28 1968

WILLIAM J. DUCK

CLERK
REGISTER

Edward M. ...
EDWARD M. ...

BY EDWARD M. ...

MATERIAL SALES COMPANY, INC.,
An Alabama Corporation,

PLAINTIFF

VS.

MARVIN MILLER and KEIFER JARVIS,
Individually, and D/B/A GULF SHORES
PLUMBING & ELECTRIC,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

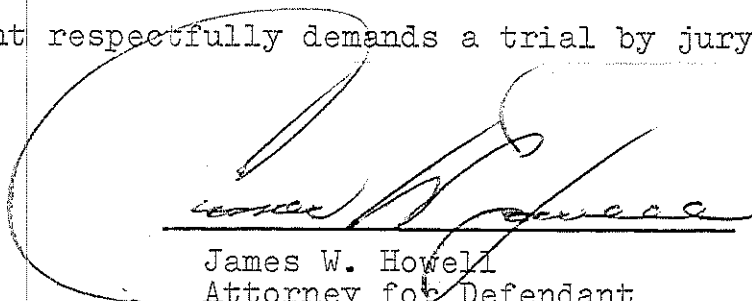
AT LAW

CASE NO. _____

Comes the Defendant in the above style cause and for
answer thereto, pleads nil debet.


James W. Howell
Attorney for Defendant

Defendant respectfully demands a trial by jury in this
cause.


James W. Howell
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this the 28th
day of September, 1967, served a
copy of the foregoing pleading on counsel for all parties
to this proceeding by mailing the same by United States
Mail, properly addressed, and first-class postage prepaid.

FILED

OCT 2 - 1967

ALICE J. DUCK CLERK
REGISTER

MATERIAL SALES COMPANY, INC.)
A CORPORATION,)

PLAINTIFF,)

VS.)

MARVIN MILLER,)

DEFENDANT.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW. CASE No. 7713

THE PLAINTIFF HEREIN HAVING RECOVERED ON THE 12TH DAY OF DECEMBER, 1968, A JUDGMENT AGAINST THE DEFENDANT IN THE ABOVE STYLED CAUSE FOR THE SUM OF FOURTEEN HUNDRED TWENTY-SIX & 59/100 (\$1426.59) DOLLARS AND COSTS AND SUCH ECXUTION 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 ABOVE NAMED DEFENDANT REQUIRING HIM, WITHIN THIRTY (30) 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 CODE 1940, TITLE 7, SEC. 903.

Henry E. Taylor
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA,
COUNTY OF BALDWIN.

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED WILLIAM R. RUFFLES, JR., WHO BEING BY ME FIRST DULY SWORN, DEPOSES AND SAYS: THAT HE IS THE PRESIDENT OF MATERIAL SALES COMPANY, INC., A CORPORATION, COGNIZANT OF THE FACTS HEREIN STATED, AND AUTHORIZED TO MAKE THIS AFFIDAVIT, AND THAT THE FACTS STATED IN THE FOREGOING REQUEST FOR DISCOVERY OF ASSETS ARE TRUE ACCORDING TO THE BEST OF HIS KNOWLEDGE, INFORMATION AND BELIEF.

William R. Ruffles, Jr.
WILLIAM R. RUFFLES, JR.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF July 1969.

FILED

JUL 28 1969

Dorothy Bell
NOTARY PUBLIC

MY COMMISSION EXPIRES AUGUST 26, 1971.

ALICE J. DUCK

CLERK
REGISTER

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RATING

DATE MEMO	CHARGES	DATE MEMO	CREDITS	BALANCE
BALANCE FORWARDED				
		FEB 28'67	68.47	68.47 ^{CR}
		MAR 3'67	117.13	185.60 ^{CR}
MAR 7'67	37.01			
MAR 7'67	31.46			
MAR 7'67	9.18			
MAR 7'67	88.19			
MAR 7'67	19.76			
MAR 7'67	71.28			
MAR 7'67	16.49			87.77*
		MAR 10'67	87.77	.00*
MAR 10'67	56.20			165.52*
MAR 10'67	107.12			
MAR 21'67	64.73			320.08*
MAR 21'67	34.50			232.31*
MAR 21'67	57.53			87.77
		MAR 22'67	87.77	219.58*
MAR 23 CM	12.73			307.35*
MAR 23'67	87.77 ^{pls}			.00*
		MAR 24'67	307.35	
MAR 25'67	6.24			
MAR 25'67	38.94			
MAR 25'67	43.37			
MAR 25'67	3.78			
MAR 25'67	134.67			325.32*
MAR 25'67	98.32			426.01*
MAR 27'67	100.69			423.81*
MAR 27 CM	2.20 <i>disc</i>			
MAR 10'67	50.44			
MAR 10'67	9.16			
MAR 10'67	17.28			
MAR 10'67	44.37			
MAR 10'67	174.36			1017.25
MAR 10'67	297.83			1,016.62

over

Material Sales Co., Inc.

FAIRHOPE, ALABAMA

DATE MEMO	CHARGES	DATE MEMO	CREDITS	BALANCE
BALANCE FORWARDED				
APR 25 '67	79.00			7046.62
APR 25 '67	10.82			1017.25
				1,406.44
				1107.07
PR 25 '67	147.54	No correction Transferred from Gulf Shores Building Supply		958.90
APR 25 '67	147.54			959.53
APR 25 '67	147.54			1254.61
				1,253.08
MAY 26 DS	4.24			1,254.61
				1,258.85
		L-1-BR CALL		
6-20-67 CS	12.59			1,271.44
7-19-67 CS	12.71			1,284.15
8-19-67 CS	12.84			1,296.99

Material Sales Co., Inc.

FAIRHOPE, ALABAMA