XXXIEMENX

JAMES W. HOWELL

ATTORNEY AT LAW

FOLEY, ALABAMA 30535

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,

mag W Howell

ames W. Howell

JWH:ec enc:

MATERIAL SALES COMPANY, INC., A CORPORATION,)	
PLAINTIFF)	IN THE CIRCUIT COURT OF
VS) (BALDWIN COUNTY, ALABAMA
MARVIN MILLER,)	AT LAW
Defendan t)	CASE NO: <u>7713</u>

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 OTAYLOR

BY JOHN FOR THE PLAINTIFF



AUG 1 3 1970

VOL 63 PAGE 911 AL III. J. DICK 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)	IN THE CIRCUIT COURT OF
VS	,)	BALDWIN COUNTY, ALABAMA
MARVIN MILLER,)	AT LAW
Defendan t)	CASE NO: <u>7713</u>

RULE TO SHOW CAUSE

MATERIAL SALES COMPANY, INC., A CORPORATION, HAVING HEREIN FILED ITS VERIFIED PETITION PRAYING THAT MARVIN MILLER, DEFENDANT 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,

IT IS FURTHER ORDERED, ADJUBED 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 13 DAY OF CELLES 1970.

JUDGE OF CIRCUIT COURT



AUG 1-3 1970

VOL 63 PAGE 912

CLERK REGISTER

MATERIAL SALES, CO. INC.

PLAINTIFF

VS

MARVIN MILLER,

DEFENDANT

IN THE CIRCUOT CURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: <u>7713</u>

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MATERIAL SALES, A CORPORATION,	COMPANY, INC.,)	
	$P_{LAINTIFF}$)	IN THE CIRCUIT COURT OF
VS)	BALDWIN COUNTY ALABAMA
MARVIN MILLER,)	AT LAW
	Defendant)	CASE NO: <u>7713</u>

RULE TO SHOW CAUSE

MATERIAL SALES COMPANY, INC., A CORPORATION, HAVING HEREIN FILED ITS VERIFIED PETITION PRAYING THAT MARVIN MILLER, DEFENDANT 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 GOOD O'CLOCK

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 INTE DAY OF February, 1970.

JUDGÉ OF CIRCUIT COURT

FEB 1 1 1970

ALGE J. DUCK CLERK REGISTER

VOL 63 PAGE 909

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: <u>7713</u>

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TAYLOR WILKINS, Sheriff
BY Judician

NAME

Gulf Shores Plumbing & Electric Gulf Shores, Alabama

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Before me personally appeared William R. Ruffles III

who being first duly sworn, states that he is Secretary

of Material Sales Co., Inc.; that he is personally acquainted with
the above account and the same is true and correct and the balance
due remains unpaid; that there are no off-sets or counter-claims
due against the same.

Sworn and subscribed to before me this the 29th day of August, 1967.

Notary Public, Baldwin County, Alabama

FAIRHOREALTENANA

NAME

Gulf Shores Plumbing and Mlectric Gulf Shores, Alabama

ADDRESS

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Material Sales Co., Inc.

FAIRHOPE, ALABAMIS

STATE OF ALABAMA

COUNTY OF BALDWIN

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

MATERIAL SALES COMPANY, INC.,

PLAINTIFF

Defendants

AN ALABAMA CORPORATION,

VS

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 1/2 DAY OF AUGUST, 1967.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAWMARVIN MILLER AND KIEFER JARVIS, CASE NO: 1717 INDIVUALLY, AND D/B/A GULF SHORES
PLUMBING & ELECTRIC,

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 ATTORNEY FOR PLAINTIFF

VERIFIED AND ITEMIZED STATEMENT OF ACCOUNT ATTACHED TO ORIGINAL HERE 3 PAGE 905

Dielf Shows IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW MATERIAL SALES CO., INC. AN ALABAMA CORPORATION, VS

Received 30 day of Jug. I served a copy of the within_ Marie Miller By service on.... TAYLOR WILKINS, Sheriff CASE NO. 17/19

PLAINTIFF

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

Swell classes 300 miles 000 Gas Cerns per n is form 2.0 .

Emilet Level

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Defendants

Emily

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MATERIAL SALES, A CORPORATION,	COMPANY, INC.,)	
	Pla intiff		IN THE CIRCUIT COURT OF
7S)	BALDWIN COUNTY ALABAMA
MARVIN MILLER,)	AT LAW
	Defendant)	CASE NO: <u>7713</u>

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: Confidence for the PLAINTIFF

FEB 1 2 1970

ALGE J. DION CLERK REGISTER

VOL 63 PAGE 910

PETITION

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

PLAINTIFF

VS

MARVIN MILLER,

DEF ENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7713

FFR 1 2 1970

MININE BEEFEN CLERK MININE BEEFEN KEGISTER MATRRIAL SALES COMPANY, INC. A Corporación,

PLAINCIPT.

778

KARVIN MILLIBRE

DEFENDANT.

IN THE GIRGUIT GOURT OF

BALDAIN GOUNTY, ALABAMA,

AT LAW. CASE No. 7715

OF DECEMBER, 1968, A JUDGMENT AGAINST THE DEFENDANT IN THE ABOYE STYLED CAUSE FOR THE SUM OF FOURTEEN HUNDRED TWENTY-SIX & 59/100 (\$1426.59) DOLLARS AND COSTS AND SUCH ECEXUTION 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 CATE, OF ALL OF HIS ASSETS OF FUERY KIND, CHARACTER, AND DESCRIPTION AND WHERESOEVER LOCATED AS PROVIDED BY CODE 1940, TITLE 7, SEC. 905.

STATE OF ALABAMA, COUNTY OF BALDWIN.

Before Me, the undersigned notary public, personally appeared william R. Ruffles, JR., who being by Mi first duly sworn, deposes and says: That he is the President of Material Sales company, Inc., a corporation, cognitant of the facts herein stated, and authorized to make this appidants, and that the facts etated in the foregoing request for discovery of assets are thing according to a second state of assets are

Part of the state of the state

Sucranto àmplistas capas arrors no tels 21 for or 124 1960.

... , U t. 2 e 1969

CLERK

63 MGE 908

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. Howeld

Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this the

day of the foregoing pleading on council for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

OCT 2 - 1967

ALGE J. DUCK CLERK REGISTER





MATERIAL SALES COMPANY, INC.) A CORPORATION,

PLAINTIFF,

VS.

MARVIN MILLER.

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

Defendant.

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 ECEXUTION 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 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.

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

Sworn to and subscribed before me this 25 TDAY of 1969.

JUL 2 8 1969

MY COMMISSION EXPIRES AUGUST 26, 1971

ALUE J. DUCK CLERK REGISTER VOL 63 PAGE 907

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Material Sales Co., Inc. FAIRHOPE, ALABAMA

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Material Sales Co., Inc.

FAIRHOPE, ALABAMA