

Doering Tire & Supply Co.

Vulcanizing

Battery Service

Auto Repairs

Phone 943-3833

P. O. DRAWER 490

FOLEY, ALABAMA 36535

April 16, 1969

Firestone



Mrs. Alice Duck
Circuit Court Baldwin County
Bay Minette, Ala.

7817 1/2
~~7817 1/2~~

Re: James W. Smith garnishment

Dear Madam:

In reply to the garnisheeing of our employ-
ee James W. Smith, we have been holding out \$10.00
per week on this since we were served garnishment
papers in February of this year. We now have with-
held a total of \$60.00. We can send this amount
in now or later when we have collected the balance.

Please let us know by return mail how we
should handle this and the full amount now owing.

Yours truly,

DOERING TIRE & SUPPLY CO.

Ra Doering
R. A. Doering

RAD/jh

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.

JAMES SMITH

Defendant

DOERING TIRE AND SUPPLY COMPANY

Garnishee

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7817½

MOTION

Comes now the Plaintiff, 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, in the above styled cause and shows unto the Court that this matter is now at issue and respectfully moves the court to set this matter on a day certain for final hearing.

FILED

APR 10 1969

WILTERS, BRANTLEY & NESBIT

BY: Thyler S. Nesbit

Attorney for Plaintiff

ALICE J. DUCK

CLERK
REGISTER

ORDER

Having read and considered the foregoing motion, the Court is of the opinion that the same should be granted and this matter is set for a final hearing on the 5th day of May, 1969 at 9:00 A.M.

Done this 10th day of April, 1969.

J. J. A. Mashburn
Circuit Judge

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby ordered to serve a copy of the foregoing Motion and Order upon the Defendant instanter and make your return to this Court forthwith.

Done this the 10 day of April, 1969.

Alice J. Duck
~~Circuit Judge~~ Circuit Clerk

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

Whereas, at the _____ Term, 1968, of the Circuit Court of Baldwin County, the following order was made and judgment entered, to-wit:

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.
JAMES SMITH

Defendant

DOERING TIRE AND SUPPLY COMPANY
Garnishee

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7817½

Came the Plaintiff, by Attorney, and the garnishee having failed to file his answer as required by law and it appearing to the Court that a Writ of Garnishment has been duly issued in this cause by the Clerk of this Court, and served upon said Garnishee, and that at the _____ Term, 1968, in said Court, to-wit: On the 18th day of April, 1968, the Plaintiff recovered a judgment against the Defendant for the sum of ONE HUNDRED THIRTY SEVEN AND 40/100 Dollars (\$137.40) besides the sum of \$23.20 costs of suit: It is therefore considered by the Court that the Plaintiff recover of the garnishee the sum of ONE HUNDRED THIRTY SEVEN AND 40/100 DOLLARS (\$137.40) and the sum of \$23.20 costs of original suit, and also the cost of this garnishment; unless at the present term of this Court, and within thirty days after service of the rendition of this judgment, the said Garnishee appear and show cause why this judgment should not be made final and absolute, and that a copy of this order by served upon the said Garnishee as required by law.

These are to command you, that you make known the premises aforesaid to the said Doering Tire and Supply Company, that it be and appear at the present term of said Court at the place of holding the same, and within thirty days after service of the rendition of said judgment show cause why said judgment should not be made final and absolute against it and have you then and there this writ your endorsement thereon.

Done this 10th day of April, 1969.

Jeffrey A. Mashburn
Judge of the Circuit Court of Baldwin Co.

7817 1/2

Burton H. Silverstein
d/b/a.

vs.

James Smith
Wet

Seve
Hoering Tire &
Supply Co. Garnishee

Received 11 24 78
and 11 24 78
on 22nd 7th & Supply Co.
By service of
Taylor Wilkins
Deputy Sheriff
D. Nestit

Sheriff claims 22 1/2 miles at
Ten Cents per mile Total \$2.20
TAYLOR WILKINS, Sheriff
BY Chadlers
DEPUTY SHERIFF

P. Nestit

STATE OF ALABAMA

Baldwin County

TO James Smith Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

Burton H. Silverstein, d/b/a AAA Assignment Service

..... Plaintiff.....,

versus James Smith Defendant.....,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Doerings Tire Company

has.... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the

29 day of Jan., 19 69.


Clerk of the Circuit Court.

Received 29 day of Jan 1969
and on 17 day of Feb 1969
I served a copy of the within Notice
on James Smith

By service on _____

TAYLOR WILKINS, Sheriff

[Signature] D.B.

[Signature]

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY [Signature]
DEPUTY SHERIFF

ORIGINAL

7817 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

To

James Smith
Darlington Fire Company

Burton H. Silverstein
Plaintiff.....

VS.

James Smith

Defendant.....

P. Nesbit

STATE OF ALABAMA

Baldwin County

TO James Smith Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

Burton H. Silverstein, d/b/a AAA Assignment Service, as Plaintiff.....
Assignee of Medical Arts Center

versus James Smith Defendant.....

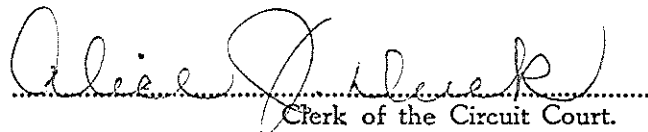
now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Doerings Tire Company, Foley, Alabama

has..S.. been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 11th

.....day of May, 1968.


Clerk of the Circuit Court.

Ex 5-14-68

Received 13 day of May 1968
and on 14 day of May 1968
served a copy of the within Notice
on James Smith
By service on Choue

TAYLOR WILKINS, Sheriff
By J. M. Eastman D. S.
D. J. Dole, Ala.

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH

FOR SERVING 1 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 7.20
PROCESS(ES) OR A TOTAL OF \$ 8.20

2817 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Burton H. Silverstein, d/b/a

AAA Assignment Service, as

Assignee of Medical Arts

Center

Plaintiff.....

VS.

James Smith

Defendant.....

E. Nesbit

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY
TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19....., of the Circuit Court of Baldwin County, to-wit: On the 18th day of April, 1968, being a regular day of said term, Burton H. Silverstein, d/b/a AAA Assignment Service, As Assignee of Medical Arts Center recovered judgment against James Smith

for the sum of One Hundred Ninety Five and NO/100-----Dollars, and cost of suit, and affidavit having been made by Phyllis S. Nesbit, attorney for Burton H. Silverstein, d/b/a AAA Assignment Service that process of garnishment is believed to be necessary to obtain satisfaction of such judgment, and that the following named persons or corporations, vis:

Doerings Tire Company, Foley, Alabama

has or is believed to have in its possession, or under its control money or effects belonging to said defendant..... or that it is, or is believed to be indebted to said defendant..... or to be liable to them, or to one of them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

Doerings Tire Company

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minors, on the 19th day of May, 1968, within 30 days service of this Writ, then and there within the three first days of the 19th day of May, 1968, to answer the service of the garnishment, or at the making its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant and whether it will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant James Smith

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this 10 day of May, A. D., 1968

Issued 10 day of May, A. D., 1968

ATTEST:

Alice J. Duck, Clerk.

Received 13 day of May 1968
and on 14 day of May 1968
served a copy of the within Garn.
in Doerings Tire Co.

by service on Rudy Doering mgt.

TAYLOR WILKINS, Sheriff
By McEaster D. S.
Foley, Ala.

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.00 EACH
FOR SERVING 1 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 7.20
PROCESS(ES) OR A TOTAL OF \$ 8.20

CIRCUIT COURT, BALDWIN COUNTY

No. 7817 1/2

Burton H. Silverstein
Ala - AAA Assignment
Service

VS. } GARNISHMENT ON JUDGMENT

James Smith

Doerings Tire Co. - Foley.

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

P. Nesbit
Attorney

THE STATE OF ALABAMA,
BALDWIN COUNTY

7817 1/2
CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid Phyllis S. Nesbit, attorney for Burton H. Silverstein

who being duly sworn, on oath says, that a regular Term

of the Circuit Court of Baldwin County, to-wit: on the 18th day of April

1968, Burton H. Silverstein, d/b/a AAA Assignment Service

James Smith
recovered a judgment against

for the sum of

ONE HUNDRED THIRTY SEVEN AND 40/100 Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

Doerings Tire Company

supposed to be indebted to or have effects of the said James Smith

in its possession, or under its control, and that he believes process of

Garnishment against said Doerings Tire Company

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 29

day of Jan A. D. 1969

Alice J. Duck
Clerk.

NO. _____

CIRCUIT COURT

Burton H. Silverstein, d/b/a
AAAAssignment Service

vs.

James Smith

AFFIDAVIT Garnishment on Judgment

Filed this _____ day of

_____, 19____

Clerk.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State
aforesaid Phyllis S. Nesbit, attorney for Burton H. Silverstein, d/b/a
AAA Assignment Service
who being duly sworn, on oath says, that a regular Term
of the Circuit Court of Baldwin County, to-wit: on the 18th day of April
1968, Burton H. Silverstein, d/b/a AAA Assignment Service as Assignee
of Medical Arts Center
recovered a judgment against James Smith

for the sum of
One Hundred Ninety Five and NO/100-----Dollars
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

Doerings Tire Company, Foley, Alabama

supposed to be indebted to or have effects of the said James Smith
in its possession, or under its Control, and that he believes process of
Garnishment against said Doerings Tire Company
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 10

day of May

A. D. 1968

Clerk.

Phyllis S. Nesbit

NO.

Circuit Court

Burton H. Silverstein, d/b/a
AAA Assignment Service
.....

vs.

James Smith
.....

AFFIDAVIT GARNISHMENT ON JUDGMENT

Filed this day of

..... 19.....

.....
Clerk.

MOORE PRINTING CO. - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19..... of the Circuit Court of Baldwin County, to-wit: On the 18th day of April, 1968, being a regular day of said term, Burton H. Silverstein, d/b/a AAA Assignment Service, As Assignee of Medical Arts Center recovered judgment against James Smith

for the sum of One Hundred Ninety Five and NO/100----- Dollars, and cost of suit, and affidavit having been made by Phyllis S. Nesbit, attorney for Burton H. Silverstein, d/b/a AAA Assignment Service that process of garnishment is believed to be necessary to obtain satisfaction of such judgment, and that the following named persons or corporations, vis:

Doerings Tire Company, Foley, Alabama

has or is believed to have in its possession, or under its control money or effects belonging to said defendant..... or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

Doerings Tire Company

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, Within 30 days service of this Writ on the Monday in XXXXXX A. D. 19XX.

~~then and there within the three first days of the month of Monday in XXXXXXXX A. D. 19XX.~~

the service of the garnishment, or at the making..... its answer, or at any time intervening the time of serving the garnishment, and making the answer..... it was indebted to said defendant and whether it will not be indebted in future to said defendant

..... by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant James Smith

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this..... 10 day of May, A. D., 1968.

Issued 10 day of May, A. D., 1968

ATTEST:

Alice J. Duck Clerk.

CIRCUIT COURT, BALDWIN COUNTY

No. 7817 1/2

VS.

GARNISHMENT ON JUDGMENT

Issued

day of 19

Returnable

day of 19

Attorney

Moore Printing Co. - Bay Minette, Alabama

May 21, 1968

Alice J. Duck, Clerk
Circuit Court, Baldwin County
Bay Minette, Ala.

An agreement has been made with AAA Assignment Service to satisfy this judgment. They have assured us that their attorney will in the near future file necessary papers to dismiss this garnishment against James W. Smith.

DOERING TIRE & SUPPLY CO.

RA Doering

FILED

MAY 22 1968

ALICE J. DUCK CLERK
REGISTER

7817 1/2

Alice J. Duck

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19..... of the Circuit Court of Baldwin County, to-wit: On the 18th day of April, 1968, being a regular day of said term, Burton H. Silverstein, d/b/a AAA Assignment Service

recovered judgment against James Smith

for the sum of ONE HUNDRED THIRTY SEVEN and 40.100-----Dollars, and cost of suit, and affidavit having been made by Phyllis S. Nesbit, atty for Burton H. Silverstein that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:
Doerings Tire Company

has or is believed to have in its possession, or under its control money or effects belonging to said defendant..... or that it is, or is believed to be indebted to said defendant..... or to be liable to them, or to one of them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

Doerings Tire Company

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, on the..... Monday in..... A. D. 1969, then and there within the three first days of the..... Monday in..... A. D. 1969

the service of the garnishment, or at the making..... its answer, or at any time intervening the time of serving the garnishment, and making the answer..... it was..... indebted to said defendant..... and whether it will not be indebted in future to said defendant..... by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant James Smith

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this 29 day of Jan., A. D., 1969

Issued 29 day of Jan. A. D., 1969

ATTEST:

Alice J. Duck, Clerk.

2-12-69

Received 29 day of Jan 1969
and on 15 day of Feb 1969
I served a copy of the within Whit
on Doering Tire Co.

ORIGINAL

CIRCUIT COURT, BALDWIN COUNTY

By service on Rudy Manning resp.

No. 7817 1/2

TAYLOR WILKINS, Sheriff
By Forrest L. D. S.

72

Burton H. Silverstein
d/b/a AAA

VS. } GARNISHMENT ON JUDGMENT

James Smith

Serve:
Doering Tire Co. Garnishee

Issued 29 day of Jan 1969

Returnable _____ day of _____ 19____

P. Nesbit
Attorney

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY CC DEPUTY SHERIFF