

OWENS & PATTON
ATTORNEYS AT LAW
DAHLBERG BUILDING
P. O. BOX 729
BAY MINETTE, ALABAMA - 36507

J. CONNOR OWENS, JR.
WALTER S. PATTON

TELEPHONE NO. 937-4661

March 15, 1968

Mrs. Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama

Subject: General Motors Acceptance Corporation
vs. Maurice Tucker,
Case No. 7939.

Dear Mrs. Duck:

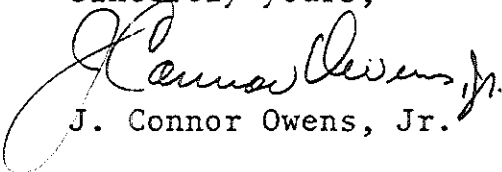
In connection with the above styled cause, please
issue a subpoena to the following named individuals for
the taking of a deposition before Mrs. Louise Dusenbury,
on April 3, 1968, at 10:00 o'clock A. M., in behalf of
the Plaintiff:

Mr. Cary B. Branch
c/o Trailway Truck Stop
Mobile Bay Causeway

Mr. Maurice Tucker
c/o Trailway Truck Stop
Mobile Bay Causeway

Thank you for your aid and consideration in this
matter.

Sincerely yours,


J. Connor Owens, Jr.

1-15-68
3-15-68
JCO:am

GENERAL MOTORS ACCEPTANCE)	IN THE CIRCUIT COURT OF
CORPORATION, a corporation,)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	
MAURICE TUCKER,)	LAW SIDE. NO. 7939.
Defendant.)	

TO: HARRY J. WILTERS
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

NOTICE OF DEPOSITION

Please take notice that at 10:00 o'clock A. M., on the 3rd day of April, 1968, at the Law Library in the Courthouse of Baldwin County, Bay Minette, Alabama, the Plaintiff, General Motors Acceptance Corporation, will take the pre-trial deposition of Cary B. Branch and Maurice Tucker, upon oral examination pursuant to Title 7, Section 474(1) et seq., Code of Alabama (1940) (Recomp. 1958) before some officer duly authorized to administer oaths in the County of Baldwin, State of Alabama, and duly authorized to take depositions and swear witnesses in said County in said State. The oral examination will continue from day to day until completed and you are invited to attend if you so desire.

OWENS AND PATTON

By: *J. Connor Owens, Jr.*
Attorneys for Plaintiff

I, J. Connor Owens, Jr., one of the attorneys for the Plaintiff, do hereby certify that I served the foregoing Notice to take deposition on Harry J. Wilters, the attorney of record for Maurice Tucker, by placing a copy of the same in the United States Mail, properly addressed, with postage prepaid, this 15th day of March, 1968.

FILED

MAR 15 1968

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA

Baldwin County

IN THE CIRCUIT COURT OF

Baldwin County

Before me, the undersigned, a Notary Public in and for said County,
personally appeared J. Connor Owens, Jr. who being by me
duly sworn deposes and says that the property sued for in the complaint of General Motors
Acceptance Corporation vs. Maurice Tucker filed in said Court, to-wit:

One (1) 1964, GMC, V4005, Serial No. F19674E, 1-1/2 Ton
3rd Axle, 18' Body

belongs to General Motors Acceptance Corporation, the plaintiff.

Sworn to and subscribed before me this 5th
day of January, 1968

Alice L. Miller
Notary Public

STATE OF ALABAMA

Baldwin County

IN THE CIRCUIT COURT OF

Baldwin County

KNOW ALL MEN BY THESE PRESENTS. That we, GENERAL MOTORS ACCEPTANCE
CORPORATION, Principal, and
FIDELITY & CASUALTY COMPANY OF NEW YORK, Sureties, are held and
firmly bound unto MAURICE TUCKER, his heirs, executors and admin-
istrators in the sum of FORTY AND NO/100 Dollars,
for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Scaled with our seals and dated the 5th day of January, 1968

The condition of the above obligation is such that whereas, the above bound
General Motors Acceptance Corporation has on the 5th day of
January, 1968 sued out a writ of detinue in the Circuit Court of Baldwin
County, returnable to the said Circuit Court against the said
Maurice Tucker for the recovery of the following
described property, to-wit:

One (1) 1964 GMC, V4005, Serial No. F19674E, 1-1/2 Ton
Truck, 3rd Axle, 18' Body

Now, if the said General Motors Acceptance Corporation shall fail in said suit
and shall pay to the said Maurice Tucker, the defendant in
said suit, all such costs and damages as he may sustain by the wrongful complaint, then this obligation to
be void, otherwise, to remain in full force and effect.

Taken and approved this 5th day of January, 1968
By: J. Connor Owens, Jr. (SEAL)
By: Katherine Ludwig (SEAL)
Clerk, Circuit Court As its agent and Atty in Fact.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th day of February 1968 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United State Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

By: *Henry J. Wilters*

GENERAL MOTORS ACCEPTANCE CORPORATION, a Corporation,

X

Plaintiff,

X

vs.

X

MAURICE TUCKER,

X

Defendant

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7939

X

Comes the Defendant Maurice Tucker, and for answer to the Complaint, says:

1.

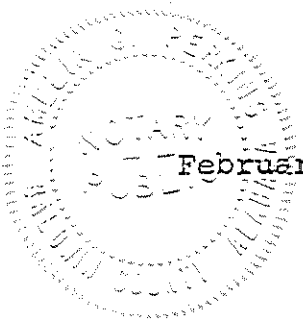
That he was not at the commencement of this suit, nor is he now, in the possession or control of the property sued for in said Complaint and more particularly described as:

One (1) 1964 GMC, V4005, Serial No. F1967E, 1-1/2 Ton Truck, 3rd Axle, 18' Body

Neither has, nor does the Defendant now claim any right, title, or interest in said chattel above described. Defendant further says that he purchased the aforesaid vehicle in April of 1967 from Frank Bruson, a copy of which Bill of Sale is attached and marked Exhibit "A". Defendant further says that he sole this vehicle the 1st of November, 1967, without knowledge of any lien or other encumbrance on the same. That he does not now exercise any ownership or control over said chattel; nor does he have the same in his possession or under his control.

Maurice Tucker
Maurice Tucker

Sworn to and subscribed before me this the 16th day of February, 1968.



Defendant demands a trial by jury

Henry J. Wilters

Rmelia B. Perkins
Notary Public,



FEB 16 1968

ALICE J. DUCK CLERK REGISTER

Exhibit "A"

BILL OF SALE

For a valuable consideration, to me in hand paid, the receipt of which is hereby acknowledged, I hereby convey and warrant to Maurice Tucker of Star T Co. Box 13A-Daphne, Ala. all my right, title and interest in and to the following described personal property, being and situated in the county of Mobile State of Alabama and now in my possession and control, and free from encumbrance, to-wit:

One 1965 GMC 1/2 Ton Truck
Model # V 4005 Class 175 S. # 1967
1967 Tag # 2H² 2595

WITNESS MY HAND, this 21 day of April 1967

Frank Brunson
#2, Box 323E Leadon, Ala.

Signed and delivered in our presence

this 21 day of April 1967

Clifton Lee Lowrey
Notary Public Mobile County
Ala.

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

No. 7939

JANUARY 5, 1968, 19__

To Any Sheriff of the State of Alabama:

You Are Hereby Commanded to Summon MAURICE TUCKER

TRAILWAY TRUCK STOP

MOBILE BAY CAUSEWAY

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 _____

GENERAL MOTORS ACCEPTANCE CORPORATION

Witness my hand this 5th day of January, 19 68

Alice J. Duck Clerk.

GENERAL MOTORS ACCEPTANCE CORPORATION, a corporation

COMPLAINT

MAURICE TUCKER

Plaintiff Versus _____ Defendant

The plaintiff _____ claims of the defendant the following personal property, to-wit:

One (1) 1964 GMC, V4005, Serial No. F19674E, 1-1/2 Ton

Truck, 3rd Axle, 18' Body

with the value of the hire or use thereof during the detention, to-wit:

from September 1, 19 67, to January 1, 1968, 19__

FILED

JAN 5 1968

OWENS AND PATTON

ALICE J. DUCK

CLERK
REGISTER

By: [Signature]

Plaintiff's Attorney.

(Causeway)

No. 7939

Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

General Motors
Acceptance Corp.
Plaintiff.

VS.

Maurice J. Tucker
Defendant.

DETINUE SUMMONS AND COMPLAINT

Filed FILED, 19____

JAN 5 1968

Clerk.

ALICE J. DUCK
CLERK
REGISTER

Owens & Patton
Plaintiff's Attorney

Defendant's Attorney

To The Sheriff of Said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will within thirty days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

Sheriff's claim 60 miles

Ten cents per mile Total \$ 6.00

FOR WILKINS, Sheriff

Ray Randall
Deputy Sheriff

Alice J. Duck
Clerk.

Served on Maurice (Causeway)
Tucker 2-6-68
stated he sold truck
to Brother Inlaw
Carey B. Branch
204 Bayou Dr. Saraland

Property not found in our
County

Defendant lives at

RECEIVED
Received in office
JAN 5 1968

AVILEZ WILKINS, 19____
SHERIFF

Sheriff.

I have executed this summons

this _____, 19____

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

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