

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 7983

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Cy A. Barginer

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

..... Cy A. Barginer Defendant.....

by Phillips Petroleum Company, a corporation

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

Witness my hand this..... 5th day of February 1968.....

Ex. 2/15/68

Allice J. [Signature] Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

PHILLIPS PETROLEUM COMPANY,

A Corporation,

Plaintiffs

vs.

CY A. BARGINER,

Defendants

SUMMONS AND COMPLAINT

Filed February 5, 1968

Alice J. Duck Clerk

B. F. STOKES, III
P. O. Box 293
Mobile, Alabama 36601

Plaintiff's Attorney
Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office
FEB 6 1968

JAMES WILKINS
SHERIFF

19.....

Sheriff

I have executed this summons

this 11 Feb 1968

by leaving a copy with

C. G. Barginer

Debit claims 5.00
Tax Cents per mile Total \$ 5.00
JAMES WILKINS, Sheriff
C. G. Barginer
DEPUTY SHERIFF

James Wilkins Sheriff
J. L. P... Deputy Sheriff

R. D. ...

AFFIDAVIT OF ACCOUNT

STATE OF MISSOURI)
County of JACKSON)
ss.

J. C. Tillisch, of lawful age, being first duly sworn, upon oath deposes and says:

Supervisor of
That he is Cust. Rec. of Phillips Petroleum Company

a corporation organized under the laws of the state of Delaware

a partnership composed of _____

A sole trader doing business as _____

that the attached account against Cy A Barginer

of P. O. Box 560, Robertsdale, Alabama, as well as the various items thereof,

is, within the personal knowledge of affiant, just, true and correct, and the amount or

balance of Four Hundred Seventeen and 04/100-----(\$417.04)-----Dollars,

shown thereon, is due and owing over and above all credits and set offs, with interest

from _____ 19____, at _____ per cent per annum.

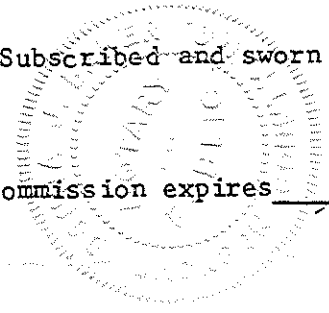
Subscribed and sworn to before me this 27th day of November 1962.

J. C. Tillisch

Donna G. Baker

Notary Public

My commission expires August 21, 1971



GIBBONS & STOKES

ATTORNEYS AT LAW
160 CONGRESS STREET
MOBILE, ALABAMA
TELEPHONE 433-2611

E. GRAHAM GIBBONS
B. F. STOKES, III

March 22, 1968

MAILING ADDRESS
P. O. BOX 293
MOBILE, ALABAMA, 36601

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

Re: Phillips Petroleum Company, a corporation, vs Cy A.
Barginer, #7983

Dear Mrs. Duck:

More than thirty days have elapsed since the complaint and summons in the above case were served on defendant. I enclose motion for judgment by default and a non-military affidavit. I would appreciate it if you would present this matter to the Judge at your earliest convenience, advising that the plaintiff requests a judgment in the sum of \$444.15, which includes \$27.11 interest.

If you need further information, please advise.

Sincerely yours,


B. F. Stokes, III

BFS:fo

PHILLIPS PETROLEUM COMPANY,) IN THE CIRCUIT COURT OF
a corporation,)
Plaintiff) BALDWIN COUNTY,
) ALABAMA
VS:) AT LAW
CY A. BARGINER,)
Defendant) CASE NO. 7983

COUNT ONE

Plaintiff claims of the Defendant \$417.04 due from him by account on February 1, 1967, which sum of money with the interest thereon, is still unpaid.

COUNT TWO

Plaintiff claims of the Defendant \$417.04 due from him by account on February 1, 1967, which sum of money with the interest thereon, is still unpaid. This suit is filed on an itemized verified account, which will be offered in evidence at trial.

B. F. Stokes, III

B. F. STOKES, III
Attorney for the Plaintiff
P. O. Box 293
Mobile, Alabama 36601

Serve the defendant at his place of business, Cy's Service Station, Robertsdale, Alabama.

FILED

FEB 5 1968

ALICE J. DUCK CLERK
REGISTER

PHILLIPS PETROLEUM COMPANY, a corporation)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY,
Plaintiff)	ALABAMA
VS)	AT LAW
CY A. BARGINER,)	
Defendant)	Case No. <u>7983</u>

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows unto the Court that more than thirty days ago, the defendant herein was served with the complaint and summons but has failed to file pleadings to the complaint.

WHEREFORE, plaintiff moves the Court to enter judgment by default against the defendant.

B. F. Holm

Attorney for Plaintiff

FILED
MAR 25 1968
ALICE J. WALKER CLERK