nv.8226

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H.LYONS (1900-1957)
SAM W.PIPES
WALTER M.COOK
GORDON B.KAHN
IRWIN W.COLEMAN, JR.
G. SAGE LYONS
AUGUSTINE MEAHER, III
JAMES B.KIERCE, JR.
WESLEY PIPES

36601

AREA CODE 205 TEL.432-4483 P.O. DRAWER 2525

July 19, 1968

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

Re:

Commercial Credit Equipment Corporation v. Sam Childress

Dear Mrs. Duck:

I enclose herewith the original and one copy of the Complaint styled as above for filing with the Court. Please issue summons for service of process on the defendant, Sam Childress.

With kindest regards,

Sincerely,

LYONS, PIPES AND COOK

4G. Sage Lyons

GSL/lak

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AUGUSTINE MEAHER, III
JAMES B. KIERCE, JR.
WESLEY PIPES
NORTON W. BROOKER, JR.

February 21, 1970

Honorable Alice J. Duck Clerk, Circuit Court Baldwin County Courthouse Bay M; nette, Alabama 36507

Re: Commercial Credit Equipment Corporation vs. Sam Childress, Case No. 8226.

Dear Mrs. Duck:

Please enter a non-suit on behalf of the plaintiff in the above-captioned case and mail the cost bill to us.

Very truly yours,

LYONS, PIPES AND COOK

UD /15

COMMERCIAL CREDIT EQUIPMENT
CORPORATION, A Corporation,

Plaintiff,

Vs.

SAM CHILDRESS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 8226

DEMURRER

Comes now the Defendant, and demurs to the complaint heretofore filed in this cause, and assigns the following grounds therefor, separately and severally to each and every count thereof, to-wit:

- 1. The complaint is vogue.
- 2. The complaint is uncertain.
- 3. The complaint fails to state a legal cause of action.
- 4. The complaint fails to allege when the written instrument became due.

ATTORNEY FOR DEFENDANT

Defendant demands a trial by jury in this case.

ATTORNEY FOR DEFENDANT

AUG 1 2 1958

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63 PAGE 577

NOTARY TUBLIC

STATE AT LARGE, STATE OF ALABAMA

AUG 12 1900

COMMERCIAL CREDIT EQUIPMENT
CORPORATION, A Corporation,

Plaintiff,

NAT LAW

VS.,

Defendant.

CASE NO: Surve

COUNT ONE

The plaintiff claims of the defendant the sum of, to-wit, TWO THOUSAND SIX HUNDRED NINETY-EIGHT AND NO/100 (\$2,698.00) DOLLARS, together with interest thereon and a reasonable attorney's fee, due on a written instrument, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof as if set forth herein in full; the plaintiff avers that it purchased the said written instrument before default in any payments therein and the plaintiff was a bona fide purchaser for value; the plaintiff further avers that the defendant did make default in complying with the terms of said instrument in that that the defendant failed to pay installments or some of the installments when the same fell due and that under the terms thereof, the plaintiff declared the full amount then unpaid immediately due and payable and that as a result of said transaction, the balance due to the plaintiff under said instrument is in the sum of, to-wit, TWO THOUSAND SIX HUNDRED NINETY-EIGHT AND NO/100 (\$2,698.00) DOLLARS; the plaintiff further avers that in and by the terms of said written instrument the defendant did agree to pay a reasonable attorney's fee in the event said instrument was placed in the hands of an attorney for collection and the plaintiff avers that a reasonable attorney's fee is in the sum of FIVE HUNDRED FORTY AND NO/100 (\$540.00) DOLLARS; WHEREFORE, the plaintiff claims of the defendant the sum of, to-wit, THREE THOUSAND TWO HUNDRED THIRTY-EIGHT AND NO/100 (\$2,238.00) DOLLARS together with

interest thereon, hence this suit.

Defendant's address: Sam Childress Robertsdale, Alabama

JUL 23 1968

LYONS, PIPES AND COOK Attorneys for Plaintiff

G. SAGE LYONS

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EXHIBIT "A"

PURCHASE AGREEMENT (Continued)

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"Won-ribootrsd" Special Assignment

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COLLEGE & CORPORATE PERSON OF STREET FRAMES

(OFFICIAL TITLE)

STAT	E	OF	ALABAMA
	Ba	aldwin	County

Circuit	Court,	Baldwin	County
No. 8226	****		

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are H	ereby Commanded to Summon	Sam Childress	
* .			
	and plead, answer or demur, within		
filed in the	Circuit Court of Baldwin County, State	of Alabama, at Bay Minette, agains	st
	Sam Childress		, Defendant
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217-25-68

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