

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8262

Now comes the plaintiff in the above styled cause and shows unto the court that the writ of discovery heretofore filed in this cause by the plaintiff was dismissed out of this court on June 12, 1972; that the plaintiff did not receive notice of the dismissal of said writ until December, 1972; that the said cause was dismissed without notice to the plaintiff and should be reinstated for the purpose of forcing the defendant to answer said writ of discovery in accordance with the decree dated February 3, 1971, ordering the said defendant in contempt of court for willfully refusing to file said statements required by law.

Wherefore, plaintiff moves the court to reinstate this cause for said purpose.

DATED this 13th day of January, 1973.

Attorney for Plaintiff

FILED

JAN 15 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

OPP BAG COMPANY, INC., A CORPORATION

VS:

W. E. BRACKINS,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 8262

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS,

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING PETITION TO CITE DEFENDANT FOR
CONTEMPT AND ORDER UPON THE ABOVE NAMED W. E. BRACKINS, AND MAKE DUE RETURN
OF YOUR SAID SERVICE AND OF THIS NOTICE.


CLERK, CIRCUIT COURT

OPP BAG COMPANY, INC.,
a corporation,

Plaintiff,

VS.

W. E. BRACKINS,

Defendant.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW NO. 8262

PETITION TO CITE DEFENDANT FOR CONTEMPT

Now comes the plaintiff in the above styled cause and shows that a notice was heretofore issued out of this court by the Clerk thereof, requiring the above named defendant to file a statement of his assets as required by Title 7, Section 903 of the Code of Alabama; that said notice was duly and personally served on the said defendant on the 31st day of October, 1970; that the said defendant has willfully refused to file such statement.

The premises considered, plaintiff petitions the court that the said W. E. Brackins be cited for contempt of court and that he be required to appear before the court, at a time and place to be fixed, to show cause, if any he have, why he should not be held in contempt of court for willfully refusing to file such statement of assets.

James R. Owen
Attorney for Plaintiff
410 Courthouse Square
Bay Minette, Alabama

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared ~~James R. Owen, who first being duly and legally sworn deposes and~~ says: That he is the attorney for the plaintiff in the above styled cause; that he has read over the foregoing petition and that the facts stated therein are true.

Sworn to and subscribed before me on
this the 27th day of November, 1973.

Notary Public, Baldwin County, Alabama

DECREE

Upon consideration of the petition filed herein praying that the said defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the court that the said W. E. Brackins be and appear before the court on the 7th day of December, 1973, at 9:00 o'clock A. M. and show cause, if any he have, why he should not be held in contempt for willfully refusing to file said statement of assets as required by law.

Let a copy of said petition and this decree be served forthwith upon the said defendant.

ORDERED on this the 27th day of November, 1973.

J. L. J. Marshall
Circuit Judge

Defendant may be served at Elm Street,
Foley, Alabama; telephone number 943-5296.

FILED

NOV 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8262

The plaintiff herein having recovered at the October 8, 1969, term, a judgment against the defendant in the above styled cause for the sum of Twelve Hundred Ninety-five and 96/100 Dollars (\$1295.96) and costs in the amount of \$33.70, and execution 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 issue a notice to the above named defendant requiring him, within thirty 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 description wheresoever located as provided by Title 7, Section 903 of the Code of Alabama.

Attorney for Plaintiff

FILED

OCT 15 1970

ALICE J. DUCK CLERK
REGISTER

OPP BAG COMPANY, INC., A CORPORATION

VS:

W. E. BRACKINS,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

ST LAW CASE NO. 8262

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS,

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING PETITION TO CITE DEFENDANT FOR
CONTEMPT AND ORDER UPON THE ABOVE NAMED W. E. BRACKINS, AND MAKE DUE RETURN
OF YOUR SAID SERVICE AND OF THIS NOTICE.


CLERK, CIRCUIT COURT

OPP BAG COMPANY, INC.,
a corporation,

Plaintiff,

VS.

W. E. BRACKINS,

Defendant.

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA

AT LAW NO. 8262

PETITION TO CITE DEFENDANT FOR CONTEMPT

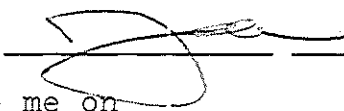
Now comes the plaintiff in the above styled cause and shows that a notice was heretofore issued out of this court by the Clerk thereof, requiring the above named defendant to file a statement of his assets as required by Title 7, Section 903 of the Code of Alabama; that said notice was duly and personally served on the said defendant on the 31st day of October, 1970; that the said defendant has willfully refused to file such statement.

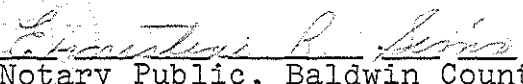
The premises considered, plaintiff petitions the court that the said W. E. Brackins be cited for contempt of court and that he be required to appear before the court, at a time and place to be fixed, to show cause, if any he have, why he should not be held in contempt of court for willfully refusing to file such statement of assets.


James R. Owen
Attorney for Plaintiff
410 Courthouse Square
Bay Minette, Alabama

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn deposes and says: That he is the attorney for the plaintiff in the above styled cause; that he has read over the foregoing petition and that the facts stated therein are true.


Sworn to and subscribed before me on
this the 27th day of November, 1973.


Notary Public, Baldwin County, Alabama

DECREE

Upon consideration of the petition filed herein praying that the said defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the court that the said W. E. Brackins be and appear before the court on the 7th day of December, 1973, at 9:00 o'clock A. M. and show cause, if any he have, why he should not be held in contempt for willfully refusing to file said statement of assets as required by law.

Let a copy of said petition and this decree be served forthwith upon the said defendant.

ORDERED on this the 27th day of November, 1973.

Jeffery A. Madeline
Circuit Judge

Defendant may be served at Elm Street,
Foley, Alabama; telephone number 943-5296.

FILED

NOV 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

RECEIVED

NOV 28 1973

TAYLOR WILKINS
SHERIFF

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

Received 28 day of Nov 1973
and on _____ day of _____ 19____
I served a copy of the within Pet & Order for Contempt
on W. E. Brackins
By service on _____
TAYLOR WILKINS, Sheriff
By _____ D. S.

#8262

OPP BAG COMPANY, INC. A CORPORATION,

VS:

W. E. BRACKINS,

942-2551

PETITION & ORDER TO CITE DEFENDANT FOR
CONTEMPT

FILED

NOV 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

James R. Owen,
Attorney for Plaintiff

IN THE CIRCUIT COURT FOR BALDWIN COUNTY,
ALABAMA

OPP BAG COMPANY, INC.,
A Corporation,

X

Plaintiff,

X

X

vs.

X

AT LAW NO 8262

W. E. BRACKINS,

X

Defendant.

X

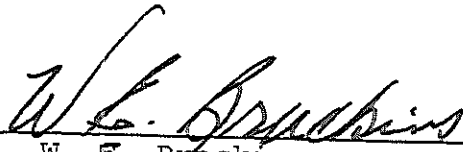
X

ANSWER TO WRIT OF DISCOVERY

Comes now the Defendant in the above styled matter and
for answer to the Writ of Discovery heretofore filed in said cause,
answers as follows:

That the assets of the Defendant are as follows:

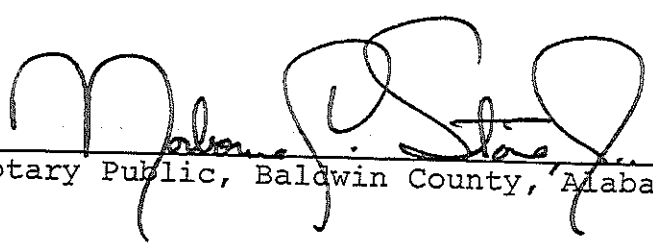
1. Personal Property: 1970 Chevrolet Pick-up - 1/2 ton
subject to security interest of Farmers & Merchants Bank, Foley,
Alabama, to secure debt of Four Hundred and Fifty Dollars (\$450.00).
2. Real Estate. None.


W. E. Brackin

Sworn to and subscribed before

me this 19th day of November,

1974.


Notary Public, Baldwin County, Alabama

FILED

NOV 19 1974

EUNICE B. BLACKMON CIRCUIT
CLERK

OPP BAG COMPANY, INC.,
A Corporation,

Plaintiff,

VS.

W. E. BRACKINS,

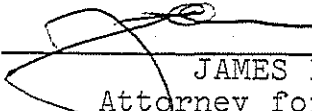
Defendant.

)
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW NO. 8262
)
)

PETITION TO CITE DEFENDANT FOR CONTEMPT

NOW COMES the Plaintiff in the above styled cause and shows that a notice was heretofore issued out of this Court by the Clerk thereof, requiring the above named Defendant to file a statement of his assets as required by Title 7, Section 903 of the Code of Alabama; that said notice was duly and personally served on the said Defendant on the 31st day of October, 1970; that the said Defendant has willfully refused to file such statement.

The premises considered, Plaintiff petitions the Court that the said W. E. Brackins be cited for contempt of Court and that he be required to appear before the Court, at a time and place to be fixed, to show cause, if any he have, why he should not be held in contempt of court for willfully refusing to file such statement of assets.



JAMES R. OWEN
Attorney for Plaintiff
410 Courthouse Square
Bay Minette, Alabama

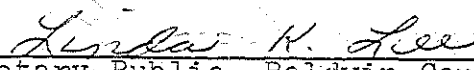
STATE OF ALABAMA)

*

BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn deposes and says: That he is the attorney for the plaintiff in the above styled cause; that he has read over the foregoing Petition and that the facts stated therein are true.


Sworn to and subscribed before me
on this the 1st day of November,
1974.


Notary Public, Baldwin County, Alabama

FILED

NOV 5 1974

EUNICE B. BLACKMON CIRCUIT CLERK

DECREE

Upon consideration of the Petition filed herein praying that the said Defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the Court that the said W. E. Brackins be and appear before the Court on the 20th day of November, 1974, at 9:00 a.m., and show cause, if any he have, why he should not be held in contempt for willfully refusing to file said statement of assets as required by law.

Let a copy of said Petition and this Decree be served forthwith upon the said Defendant.

ORDERED on this the 1st day of November, 1974.

Delores A. Madeline
CIRCUIT JUDGE

Defendant may be served at:

Elm Street
Foley, Alabama
Telephone No. 943-5296

OPP BAG COMPANY, INC.
A Corporation,

VS.

W. E. BRACKINS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8262

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS,

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING PETITION TO
CITE DEFENDANT FOR CONTEMPT AND ORDER UPON THE ABOVE NAMED
W. E. BRACKINS, AND MAKE DUE RETURN OF YOUR SAID SERVICE AND
OF THIS NOTICE.

Ernie B. Blackmon
CLERK, CIRCUIT COURT, BALDWIN
COUNTY, ALABAMA.

Crook

#8262

472897

OPP BAG COMPANY, INC. A CORPORATION

VS:

W. E. BRACKINS

Deft. Address: Elm Street
Foley, Ala.
Telephone #943-5296

old house
BRACK
BR

RECEIVED

NOV 7 1974

TAYLOR WILKINS
SHERIFF

James R. Owen,
Atty. for Pltf.

Shore claims 72 miles at
Ten Cents per mile Total 7.20
TAYLOR WILKINS Sheriff
DEPUTY SHERIFF

Received 7 Day of Nov 19 74
and on 13 Nov 1974
I served a copy of the within petition
on W. E. Brackins
By service on W. E. Brackins
TAYLOR WILKINS Sheriff
By W. E. Brackins D. C.

OPP BAG COMPANY, INC.,
a corporation,

Plaintiff,

VS.

W. E. BRACKINS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8262

NOTICE

TO: W. E. Brackins

Take notice that whereas the plaintiff in the above styled cause has requested in writing the undersigned, as Clerk of said court, to issue notice to you, as defendant, in the above styled cause and in the judgment therein, requiring you to file a statement in writing, under oath, of all of your assets, as provided by Title 7, Section 903 of the Code of Alabama and has filed said request in writing in this cause with the undersigned, as Clerk of this court, and it appearing from said request and the record in said cause that an execution was returned on the judgment in this cause endorsed "No Property Found" by the Sheriff of Baldwin County and that you reside in the State of Alabama.

Now, therefore, you are hereby required within thirty days from the service hereof to file in this court a statement in writing, under oath, of all of your assets, including money, choses in action, notes and bonds and accounts and all other property, real, personal or mixed or any interest therein with a detail description of the same, the location and reasonable value of each item thereof, together with a detail list or statement of any and all liens, mortgages or encumbrances thereon, showing the amount upon each and the owner or holder of such liens, encumbrances or mortgages.

WITNESS my hand this 15 day of October, 1970.

Alice J. Duck
Clerk

Upp Bag Co. Inc.

vs.

W. E. Brackins
Elm, Jolley

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

Received 16 day of Oct 19 70
and on 31 day of Oct 19 71
I served a copy of the within notice
on W. E. Brackins

My service on _____

TAYLOR WILKINS, Sheriff
BY Deputy Sheriff

J. R. Owen, Atty.

8262

Upp Bag Co. Inc.

vs.

W. E. Brackins

Clm, Toley

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

Received 16 day of Oct 1970
and on 31 day of Oct 1970
I served a copy of the within notice
on W. E. Brackins

My services on _____

TAYLOR WILKINS, Sheriff
at Shelby
DEPUTY SHERIFF

J. R. Owen, Atty.

OPP BAG COMPANY, INC.,
a corporation,

Plaintiff,

VS.

W. E. BRACKINS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

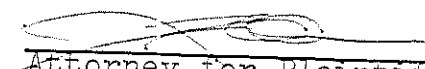
AT LAW

NO. 8262

PETITION TO CITE DEFENDANT FOR CONTEMPT


Now comes the plaintiff in the above styled cause and shows that a notice was heretofore issued out of this court by the Clerk thereof, requiring the above named defendant to file a statement of his assets as required by Title 7, Section 903 of the Code of Alabama; that said notice was duly and personally served on the said defendant on the 31st day of October, 1970; that the said defendant has willfully refused to file such statement.


The premises considered, plaintiff petitions the court that the said W. E. Brackins be cited for contempt of court and that he be required to appear before the court, at a time and place to be fixed, to show cause, if any he have, why he should not be held in contempt of court for willfully refusing to file such statement of assets.


Attorney for Plaintiff

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn deposes and says: That he is the attorney for the plaintiff in the above styled cause; that he has read over the foregoing petition and that the facts stated therein are true.


Sworn to and subscribed before me on
this the 2nd day of February, 1971.


Notary Public, Baldwin County, Alabama

FILED

FEB 3 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

DECREE

Upon consideration of the petition filed herein praying that the said defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the court that the said W. E. Brackins be and appear before the court on the first day of March, 1971, at 9:00 o'clock A. M. and show cause, if any he have, why he should not be held in contempt for willfully refusing to file said statement of assets as required by law.

Let a copy of said petition and this decree be served forthwith upon the said defendant.

ORDERED on this the 3rd day of February, 1971.

Joseph J. Macleburn
Circuit Judge

Defendant may served in Foley, Alabama.

FILED

FEB 3 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

8262

App Bag Co. Inc.

vs.

W. E. Brackins

J. R. Owen

Sheriff claims 9.2 miles of
Ten Cents per mile Total \$ 920
TAYLOR WILKINS, Sheriff
BY Deputy Sheriff
DEPUTY SHERIFF

Received 13 day of April 1971
and on 5 day of Feb 1971
I served a copy of the within Petition
on W. E. Brackins

By service on _____

TAYLOR WILKINS, Sheriff
By Charles L. Brown D. S.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. E. Brackins 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 Opp Bag Company, Inc., a corporation.

WITNESS my hand this 12 day of August, 1968.

Alice J. Duck
Clerk

The address of the defendant is Elm Street, Foley, Alabama.

* * * * *

OPP BAG COMPANY, INC.,
a corporation,

Plaintiff,

VS.

W. E. BRACKINS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

8262

C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant, One Thousand Seventy and 96/100 Dollars (\$1,070.96) due by check drawn by the defendant on June 10, 1968, which check was duly presented for payment by the plaintiff and returned to plaintiff for "Insufficient Funds", together with interest thereon. Plaintiff avers that it is the holder of the said worthless check for the payment of money and further avers that the said check was unlawfully made, uttered, or delivered to it by the defendant, W. E. Brackins. Plaintiff claims the further sum of One Hundred Fifty Dollars (\$150.00) as a reasonable attorney's fee in this cause in accordance with Title 7, Section 131(1) of the Code of Alabama.

FILED

AUG 12 1968

[Signature]
Attorney for Plaintiff

ALICE J. DUCK

CLERK
REGISTER

VOL

62 PAGE 169

24-11-25-68

Goley West

8262

Upp Bag Company
Inc. a corp.
Rtly.

vs.

W. E. Brackins
Goley, Ala
elect.

943-5290

FILED

AUG 12 1968

ALICE J. DUCK

CLERK
REGISTER

James R. (Loren)

Received 12 day of Aug 19 68
and on 25 day of Nov 19 68
I served a copy of the within
on W. E. Brackins

By service on above

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

Sheriff claims 7 1/2 miles at 7 1/2

Ten Cents per mile Total \$ 7 1/2

TAYLOR WILKINS, Sheriff
BY Eastman
DEPUTY SHERIFF