

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

Whereas, at the _____ Term, 19 70, of the Circuit Court of Baldwin County, Alabama, 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

I IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Plaintiff

I AT LAW

VS.

JOSEPH NEWELL

I CASE No. 8289 $\frac{1}{2}$

Defendant

M & M DREDGING COMPANY

Garnishee

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, 19 68, in said Court, to-wit: on the 5th day of December, 19 68, the Plaintiff recovered a judgment against the Defendant for the sum of ONE HUNDRED ELEVEN and 25/100 (\$111.25) besides the sum of \$23.70 costs of suit, of which there is a balance due of FORTY THREE and 65/100 DOLLARS (\$43.65): It is therefore considered by the Court that the Plaintiff recover of the garnishee the sum of FORTY THREE and 65/100 DOLLARS (\$43.65) and also the costs of the 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 be served upon the said garnishee as required by law.

These are to command you, that you make known the premises aforesaid to the said M & M Dredging 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 with your
endorsement thereon.

DONE this 2nd day of may, 1970.

Jelmer J. Mashburn
Judge of the Circuit Court

FILED

MAY 21 1970

ALICE J. DUCK CLERK
REGISTER

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.

JOSEPH NEWELL

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8289

REQUEST FOR DISCOVERY
OF ASSETS

The Plaintiff herein having recovered on the 5th day of December, 1968, a judgment against the Defendant in the above styled cause for the sum of ONE HUNDRED ELEVEN and 25/100 DOLLARS (\$111.25) and costs and such 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 will issue a notice to the said Joseph Newell requiring him to file in this Honorable Court within thirty days from the service of such notice, a statement in writing under oath, of all the assets of the said Joseph Newell, including money, choses in action, notes, stocks, bonds and accounts and all other property, real, personal or mixed or any interest therein with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of any and all liens, mortgages, or incumbrances thereon, showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

The said Joseph Newell resides at Foley, Alabama.

Dated this 12 day of April, 1969.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis S. Nesbit

Attorney for Plaintiff and Judgment
Creditor.

FILED

APR 10 1969

ALICE J. DUCK CLERK
REGISTER

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT
SERVICE, As Assignee of DRS. JOHN E. FOSTER,
& JULIUS MICHAELSON, d/b/a MEDICAL ARTS CENTER

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

JOSEPH NEWELL,

Defendant

AT LAW, CASE NO. 8289

DISCOVERY NOTICE FOR ASSETS OF JUDGEMENT DEBTOR

TO: JOSEPH NEWELL

TAKE NOTICE, WHEREAS, THE PLAINTIFF HEREIN HAS REQUESTED
IN WRITING, THE UNDERSIGNED, AS CLERK OF THIS COURT, TO ISSUE
NOTICE TO YOU AS DEFENDANT HEREIN, REQUIRING YOU TO FILE A STATE-
MENT, IN WRITING, UNDER OATH OF ALL YOUR ASSETS, AS PROVIDED IN
TITLE 7, SECTION 903, ALABAMA CODE 1940, AS AMENDED AND IT APPEAR-
ING FROM THE SAID REQUEST AND THE RECORD IN THE SAID CAUSE THAT
AN EXECUTION WAS RETURNED ON THE JUDGEMENT IN THIS CAUSE ON THE
10 DAY OF April, 1969, ENDORSED "NO PROPERTY
FOUND" BY THE SHERIFF OF BALDWIN COUNTY, AND THAT YOU RESIDE IN
THE STATE OF ALABAMA.

NOW THEREFORE YOU THE SAID JOSEPH NEWELL
ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO
FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH OF ALL
YOUR ASSETS, INCLUDING MONEY, CHOSES IN ACTION, NOTES, BONDS AND
ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL, OR MIXED, OR
ANY INTEREST THEREIN WITH A DETAILED DESCRIPTION OF THE SAME, THE
LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH
A DETAILED LIST OF STATEMENTS, OR ANY AND ALL LIENS, MORTGAGES
OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS THE 10th DAY OF April,
19 69.

Rebecca J. Dorch
CLERK

TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO SERVE THE FOLLOWING NOTICE
UPON THE ABOVE NAMED JOSEPH NEWELL AND MAKE DUE
RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

Rebecca J. Dorch
CLERK

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.

Joseph Newell

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8289

PLAINTIFF'S PETITION TO CITE DEFENDANT FOR CONTEMPT

Now comes the Plaintiff in the above styled cause and shows that on, to-wit, the 10 day of April, 1969, a notice was issued out of this Honorable Court by the Clerk thereof requiring the above named Defendant to file a Statement of Assets as required by Code 1940, Title 7, 903; that said notice was duly and personally served on the said Defendant on the 8th day of August, 1969; that said Defendant has willfully refused to file such statement.

The Premises considered, the Plaintiff petitions the Court that the said Joseph Newell 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 has, why he should not be held in contempt of Court for willfully refusing to file such statement of assets.

And Petitioner will ever pray.

WILTERS, BRANTLEY & NESBIT

BY:

Phyllis S. Nesbit
Attorney for Plaintiff

FILED

OCT 13 1969

ALICE J. DUCK CLERK
REGISTER

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.

JOSEPH NEWELL

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 8289

DECREE CITING JUDGMENT DEBTOR
FOR CONTEMPT

Upon consideration of the petition filed herein by the above
named Defendant on the 13th day of October, 1969, praying
that the said Defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the Court that the said
Joseph Newell do be and appear before the Court on the 27th day
of October, 1969, at 11:00 A.M. and show cause, if any
he has, why he should not be held in contempt for willfully re-
fusing to file said Statement of Assets, as required by law.

Let a copy of said petition and this Decree be served upon
said Defendant.

DATED this the 13th day of October, 1969.

Julian A. Madlure
Circuit Judge

FILED

OCT 13 1969

ALICE J. DUCK CLERK
REGISTER

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF DRS. JOHNE. FOSTER
AND JULIUS MICHAELSON, d/b/a
MEDICAL ARTS CENTER

Plaintiff

VS.

JOSEPH NEWELL

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8289

CITATION TO DEFENDANT TO SHOW CAUSE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

This day came the Plaintiff, by his Attorney, and it appearing to the Court that on the 10 day of April, 1969, the Plaintiff filed with the Clerk of this Court a request for a notice to issue to the Defendant, requiring said Defendant to file a statement of assets as provided by law and on, to-wit, the 10 day of April, 1969, the Clerk of this Court issued notice to said Defendant and was served by the Sheriff of Baldwin County on the Defendant on the 8th day of August, 1969; and it further appearing to the Court that the Defendant has failed to file said statement of assets as provided by law; It is therefore ordered by the Court that citation be issued requiring the Defendant to appear before this Court on the 27th day of October, 1969 at 11:00 A.M., and show cause why he should not be held in contempt of this Court for failing to file said statement of assets, as required by law.

It is further ordered by the Court that a copy of this order be served upon the said Defendant by the Sheriff of this County.

These are therefore to command you, that you make known the premises aforesaid to the said Joseph Newell and that he be and appear before this Court on the 27th day of October, 1969, at 11:00 A.M., and show cause why he should not be held in contempt of this Court for failing to file said Statement of Assets, as required by law; and have you then and there this writ with your endorsement thereon.

Witness, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, this the 13th day of Oct., 1969.

Alice J. Duck
Clerk of the Circuit Court.

260 E

Def. at Tulsa

Burton H. Silverstein
d/b/a AAA

Received 13 day of Oct 1969
and on 18 day of Oct 1969

I served a copy of the within Ret
on Joseph Newell

By service on _____

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

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Charles L. Davis
DEPUTY SHERIFF

vs.
Joseph Newell
Joley

FILED

OCT 13 1969

ALICE J. DUCK CLERK
REGISTER

P. Nesbit

STATE OF ALABAMA

Baldwin County

TO Joseph Newell....., 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 Joseph Newell....., Defendant.....,

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

M & N Dredging Company.....

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 9........day of Jan....., 1970.....Oliver J. Webb.....
Clerk of the Circuit Court.

Received 9 day of January 1970
and on 31 day of June 1970
I served a copy of the within Notice
on Joseph Newell

By service on _____

TAYLOR WILKINS, Sheriff

By Charles L. D. E.

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
Charles L. D. E.
Deputy Sheriff

8289 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Joseph Newell

Burton H. Silverstein

Plaintiff....

VS.

Joseph Newell

Defendant....

P. Nesbit

8284 1/2

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 5th day of December
19 68, Burton H. Silverstein, d/b/a AAA Assignment Service
recovered a judgment against Joseph Newell
_____ for the sum of
ONE HUNDRED ELEVEN and 25/100 with a balance of \$43.65 Dollars
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that
M & N Dredging Company
Magnolia Springs, Alabama
supposed to be indebted to or have effects of the said Joseph Newell
in its possession, or under its control, and that he believes process of
Garnishment against said M & N Dredging Company
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 8

day of Jan

A. D. 1970

Alice J. Duck
Clerk.

Phyllis S. 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 the5th.....day of.....December....., 19...68, being a regular day of said term, Burton H. Silverstein, d/b/a AAA Assignment Service..... recovered judgment against Joseph Newell.....

..... ONE HUNDRED ELEVEN and 25/00 with a balance of
for the sum of FORTY THREE and 65/100----- Dollars, and cost of suit,
and affidavit having been made by Phyllis S. Nesbit
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

M & N Dredging Company
P. O. Box 3
Magnolia Springs, Alabama

has or is believed to have inits..... possession, or underits..... control money or effects belonging to said defendant Newell..... or thatit..... 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
M & N Dredging 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. 19.....~~
within 30 days service of this writ
~~then and there within the three first days of the Monday in A. D. 19.....~~

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 Newell..... and whetherit..... will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existingit..... 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 whetherit..... has not inits..... possession or underits..... control money or effects belonging to the defendant Joseph Newell

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

Witness, ALICE J. DUCK, Clerk of said Court, this.....8..... day of.....Jan....., A. D., 1970
Issued8.....day of.....Jan..... A. D., 1970

ATTEST:

Alice J. Duck, Clerk.

JAN 7 1970
SHERIFF

Burton H. Silverstein

Joseph Newell

M + N Dredging Co.
Magnolia Springs
Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

P. Nesbitt

Attorney