

ELBIE THOMAS,	¶	IN THE CIRCUIT COURT
Plaintiff,	¶	BALDWIN COUNTY, ALABAMA
Vs.	¶	AT LAW
WAYNE MIDDLETON,	¶	CASE #8571
Defendant.	¶	

MOTION FOR ATTACHMENT

Comes now Plaintiff in the above styled cause by his Attorney, Wilson Hayes, and moves the Court as follows:

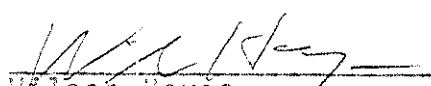
1. That Defendant herein, Wayne Middleton, was served with notice by the Sheriff of Baldwin County on May 22, 1970 to file in this Court within thirty days from the service thereof a statement in writing, under oath, of his address, including monies, choses in action, notes, bonds and accounts and all 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, together with a detailed list or statement of all liens, mortgages or encumbrances thereon.

2. That Defendant failed or refused to answer the said Writ and by motion of Plaintiff filed in this Court on August 4, 1970 this Court made and entered a contempt notice which was served on Defendant on the 6th day of August, 1970 ordering and requiring Defendant to be and appear before this Honorable Court at 10:00 A.M. on the 24th day of August, 1970, then and there to show cause why he should not be committed to jail for contempt of court for refusing to abide the requirements in said notice from Clerk of the said Court and

3. Defendant did fail and refuse to appear on the 24th day of August, 1970 at 10:00 A.M. and has to this time failed or refused so to do, now therefore

Plaintiff moves the Court to hold the said Wayne Middleton, Defendant in this cause, in contempt of court for failure to abide the Order of this Court.

Respectfully moved this 25th day of August, 1970.



Wilson Hayes
Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, this day personally appeared Wilson Hayes, who is known to me and who being by me first duly sworn to speak the truth, deposes and says he has read the foregoing motion and knows the facts therein stated are true to the best of his information and belief.

Wilson Hayes
Wilson Hayes

Sworn to and subscribed before me this the 19 day
of Sept, 1970.

Mary C. Stiers
Mary C. Stiers, Notary Public

FILED

SEP 1 1970

ALICE J. DUCK CLERK
REGISTER

ELBIE THOMAS,

Plaintiff,

Vs.

WAYNE MIDDLETON,

Defendant.

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

CASE #8571

ORDER OF CONTEMPT

This day came Plaintiff in the above styled cause by his Attorney and moved the Court for judgment on the Court's notice of contempt heretofore served on Defendant and it appearing to the Court that Defendant was required to appear and show cause why he should not be committed to jail for contempt of court for refusing to abide the requirements of the Order of the Clerk of this Court of May 22, 1970 and the said notice being served on Defendant and the cause being called on the 24th day of August, 1970 at 10:00 A.M. and Defendant appearing not and upon consideration thereof, the Court rules Defendant in contempt of court for failure to abide the requirements of the notice of the Clerk of this Court served on Defendant on May 22, 1970, it is therefore

ORDERED, ADJUDGED and DECREED that the Sheriff of Baldwin County, Alabama take and place Defendant in the Baldwin County jail until he has purged himself of contempt by making compliance of the Order of the Court served on Defendant on May 22, 1970.

Done this 2nd day of September, 1970.

Jeffery A. McDaniel
Judge, Circuit Court, at Law

ELBIE THOMAS

PLAINTIFF

VS

WAYNE MIDDLETON

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

CASE #8571

MOTION FOR WRIT OF DISCOVERY

TO THE HONORABLE ALICE J. DUCK, CLERK OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Whereas, in the above styled cause the Plaintiff recovered a judgement against the said Defendant, Wayne Middleton on the 16th day of May, 1969, for the sum of \$720.00 besides the cost of said cause; whereas execution was issued on the said judgement against the said Wayne Middleton, and thereafter the said execution was returned by the Sheriff of Baldwin County, Alabama with the endorsement thereon "No Property Found" and the said judgement remains unpaid and unsatisfied.

NOW THEREFORE, this is to request you as Clerk of said Court to issue a notice to the said Wayne Middleton requiring him to file in the Circuit Court of said County, within 30 days from the service of said notice, a statement in writing, under oath, of all of the assets of the said Wayne Middleton including money, choses in action, bonds and accounts, and all other property, real, personal or mixed of 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 all liens, mortgages or encumbrances thereon, showing the amounts due upon each, and owner or holder of such liens, mortgages or encumbrances.

The said Wayne Middleton resides at Loxley, Alabama in the County of Baldwin, State of Alabama.

Dated this 20th day of May, 1970.


Attorney for Plaintiff

FILED

MAY 28 1970

ALICE J. DUCK CLERK
REGISTER

Vol 61- Pg 685-A

8571

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ELBIE THOMAS

PLAINTIFF

VS

WAYNE MIDDLETON

DEFENDANT

X
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X
X

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

CASE #8571

WRIT OF DISCOVERY

TO WAYNE MIDDLETON

Take notice, that, whereas the Plaintiff in the above entitled cause has requested in writing, the undersigned, as Clerk of said Court to issue notice to you as Defendant in the above entitled cause and in the judgement therein, requiring you to file the statement in writing under oath of all your assets, as provided in the act of the Legislature of Alabama, approved September 28, 1915, "to provide for the discovery of assets of judgement debtors, and to facilitate the enforcement or collection of judgements in courts of law and equity in this State," and has filed said request, in writing, 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, the said Wayne Middleton, 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 interests therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement, of any and all lends, mortgages or encumbrances thereon.

Witness my hand this 22 day of May, 1970.

Archie Duck
Clerk

TO ANY SHERIFF IN THE STATE OF ALABAMA: Greetings.

You are hereby commanded to serve the foregoing notice upon the aboved named Wayne Middleton and make due return of your said service and of this notice.

Archie Duck
Clerk

CASE #8571

ELBIE THOMAS

PLAINTIFF

VS

WAYNE MIDDLETON

DEFENDANT

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

MAY 22 1970

ALICE J. DUCK CLERK
REGISTER

W. H. Jones

Received 22 day of May 1970
and on 22 day of May 1970
I served a copy of the within ADJ.
on Wayne Middleton
By service on _____

TAYLOR WILKINS, Sheriff
By H. Brown
Home NT D. S.
Jeffery

ELBIE THOMAS	X	IN THE CIRCUIT COURT
Plaintiff	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
WAYNE MIDDLETON	X	CASE #8571
Defendant	X	

MOTION FOR CONTEMPT CITATION

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE, CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA:

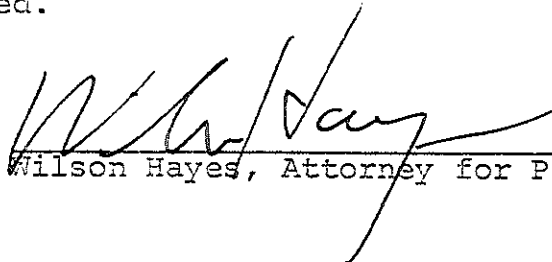
Comes now Plaintiff, Elbie Thomas, by his Attorney,
Wilson Hayes, and shows to the Court as follows:

1. Defendant herein, Wayne Middleton, was served with notice by the Sheriff of Baldwin County, Alabama on May 22, 1970, to file in this Court within thirty days from the service of said notice, a statement in writing, under oath, of his address, including monies, 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 the reasonable value of each item, together with a detailed list or statement of all liens, mortgages or encumbrances thereon.

2. That the said Wayne Middleton has to this date refused and failed to comply with the said notice and that more than thirty days have passed since the service thereof.

Now therefore, Plaintiff moves the Court to require the said Wayne Middleton to be and appear before this Court to show cause why he should not be punished as for contempt for failure or refusal to abide the requirements of the notice of the Clerk of the Court.

Respectfully submitted.


Wilson Hayes, Attorney for Plaintiff

FILED

AUG 4 1970

ALICE J. DUCK CLERK
REGISTER

685-C

ELBIE THOMAS,	X	IN THE CIRCUIT COURT
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
WAYNE MIDDLETON,	X	CASE #8571
Defendant.	X	

CONTEMPT NOTICE

TO THE SHERIFF OF MOBILE COUNTY, ALABAMA:

The Defendant herein, Wayne Middleton, having been required by notice from the Clerk of the Circuit Court of Baldwin County, Alabama served on the Defendant May 22, 1970, by the Sheriff of Baldwin County, Alabama to file in this Court within thirty days from the service of said notice a statement in writing, under oath, of his 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, together with a detailed list or statement of any and all liens, mortgages and encumbrances showing the amount due upon each and the owner of such liens, mortgages or encumbrances; and the said Wayne Middleton having refused to comply with said notice, within thirty days from the service thereof, you are hereby COMMANDED to notify the said Wayne Middleton by service on him of a copy of this citation, to be and appear before the Circuit Court of Baldwin County, Alabama on the 24th day of August, 1970 at 10:00 A. M., then and there to show cause why he should not be committed to jail for contempt of Court for refusing to abide the requirements in said notice from the Clerk of said Court, and have you then and there this precept with your doing.

Done this 4th day of August, 1970.

Judge J. Massburn

685-2

248-6-70

4

Received 4th day of Aug. 1970
and on 6th day of Aug. 1970
I served a copy of this motion & order
on Wayne Middleton

By service on _____
TAYLOR WILKINS, Sheriff
By H. A. Bazzell D.S.

40 min.

1658

Sherriff's office 40 minutes
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

NUMBER: 8571

Elbie Thomas,
Plaintiff,
Vs.
Wayne Middleton,
Defendant.

In the Circuit Court
Baldwin County, Alabama
At Law

1. Motion
2. Order

Wayne Middleton
Loxley, Ala

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Wayne Middleton 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 same, then and there to answer the complaint of Elbie Thomas.

Witness this the 12 day of February, 1969.

Alice J. Lusk
CLERK

ELBIE THOMAS)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF)	BALDWIN COUNTY, ALABAMA
)	
VS)	AT LAW
)	
WAYNE MIDDLETON)	NUMBER: _____
)	
DEFENDANT)	

I

Plaintiff claims of the Defendant the sum of ONE-THOUSAND and NO/100 (\$1,000.00) DOLLARS for that on to-wit the 17th day of September, 1968 Defendant so negligently operated a motor vehicle at the intersection of Pine Street and Loxley Avenue in the City of Loxley, Baldwin County, Alabama as to cause such vehicle to run in to, over or against Plaintiff's vehicle and that as a proximate result of the negligence of Defendant, Plaintiff's automobile was bent, broken and damaged in that the front end, fenders, frame, transmission and body of Plaintiff's vehicle was bent, broken, damaged and destroyed, hence this suit.

Walter Lee
Attorney for Plaintiff

Defendant may be served:

Loxley, Alabama

FILED

FEB 12 1969

ALICE J. LUSK

CLERK
REGISTER

NUMBER: 8591

ELBIE THOMAS

PLAINTIFF

VS

WAYNE MIDDLETON

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED

FEB 12 1969

ALICE J. DUCK

CLERK
REGISTER

W. Ayer

Received 12 day of Feb 1969
and on 20 day of Feb 1969
I served a copy of the within 2 a.c.
on Wayne Middleton
By service on _____

TAYLOR WILKINS, Sheriff
By H. F. Brown D. S.

40 miles R.T.

Sheriff claims 40 miles at
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

ELBIE THOMAS,	§	IN THE CIRCUIT COURT
Plaintiff,	§	BALDWIN COUNTY, ALABAMA
Vs.	§	AT LAW
WAYNE MIDDLETON,	§	CASE #8571
Defendant.	§	

MOTION FOR ATTACHMENT

Comes now Plaintiff in the above styled cause by his Attorney, Wilson Hayes, and moves the Court as follows:

1. That Defendant herein, Wayne Middleton, was served with notice by the Sheriff of Baldwin County on May 22, 1970 to file in this Court within thirty days from the service thereof a statement in writing, under oath, of his address, including monies, 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, together with a detailed list or statement of all liens, mortgages or encumbrances thereon.

2. That Defendant failed or refused to answer the said Writ and by motion of Plaintiff filed in this Court on August 4, 1970 this Court made and entered a contempt notice which was served on Defendant on the 6th day of August, 1970 ordering and requiring Defendant to be and appear before this Honorable Court at 10:00 A.M. on the 24th day of August, 1970, then and there to show cause why he should not be committed to jail for contempt of court for refusing to abide the requirements in said notice from Clerk of the said Court and

3. Defendant did fail and refuse to appear on the 24th day of August, 1970 at 10:00 A.M. and has to this time failed or refused so to do, now therefore

Plaintiff moves the Court to hold the said Wayne Middleton, Defendant in this cause, in contempt of court for failure to abide the Order of this Court.

Respectfully moved this 25th day of August, 1970.


Wilson Hayes
Attorney for Plaintiff

485-8

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, this day personally appeared Wilson Hayes, who is known to me and who being by me first duly sworn to speak the truth, deposes and says he has read the foregoing motion and knows the facts therein stated are true to the best of his information and belief.

Wilson Hayes
Wilson Hayes

Sworn to and subscribed before me this the 15 day
of Sept, 1970.

Mary C. Stiers
Mary C. Stiers, Notary Public

FILED

SEP 1 1970

ALICE J. DUCK CLERK
REGISTER

685-7

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ELBIE THOMAS,

Plaintiff,

Vs.

WAYNE MIDDLETON,

Defendant.

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IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

CASE #8571

ORDER OF CONTEMPT

This day came Plaintiff in the above styled cause by his Attorney and moved the Court for judgment on the Court's notice of contempt heretofore served on Defendant and it appearing to the Court that Defendant was required to appear and show cause why he should not be committed to jail for contempt of court for refusing to abide the requirements of the Order of the Clerk of this Court of May 22, 1970 and the said notice being served on Defendant and the cause being called on the 24th day of August, 1970 at 10:00 A.M. and Defendant appearing not and upon consideration thereof, the Court rules Defendant in contempt of court for failure to abide the requirements of the notice of the Clerk of this Court served on Defendant on May 22, 1970, it is therefore

ORDERED, ADJUDGED and DECREED that the Sheriff of Baldwin County, Alabama take and place Defendant in the Baldwin County jail until he has purged himself of contempt by making compliance of the Order of the Court served on Defendant on May 22, 1970.

Done this 2nd day of September, 1970.

J. H. A. Marshall
Judge, Circuit Court, at Law

Loxly.

Case #8571

Elbie Thomas,
Plaintiff,
Vs.
Wayne Middleton,
Defendant.

In the Circuit Court
Baldwin County, Alabama
At Law

1. Motion
2. Order of
Arrest

W. Hayes Atty

109
Sheriff claims _____ miles at
Ten Cents per mile Total \$ _____
TAYLOR WILKINS, Sheriff
BY _____
DEPUTY SHERIFF

Received _____ day of _____ 1946
and on _____ day of _____
I served a copy of the within Motion & Order
on Wayne Middleton
By service on _____
TAYLOR WILKINS, Sheriff
By _____
D. B.