

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINER

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

1.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THIRTY FIVE AND 30/100 DOLLARS (\$135.50), due from him by account between the Defendant and the South Baldwin Hospital on the 4th day of December, 1968, which sum of money, with interest thereon, is still unpaid and is the property of the Plaintiff by assignment made to him by the South Baldwin Hospital on April 15, 1968.

2.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THIRTY FIVE AND 50/100 DOLLARS (\$135.50), due from him by account between the Defendant and the South Baldwin Hospital on the 4th day of December, 1968, which sum of money with interest thereon, is still unpaid and is the property of the Plaintiff by assignment made to him by the South Baldwin Hospital on April 15, 1968. A copy of the assignment and an itemized statement of the account sued on and assigned, verified by the affidavit of a competent witness, is attached hereto as Exhibits "A" and "B" and made a part hereof.

WILTERS, BRANTLEY & NESBIT

BY:

Thyler S. Nesbit
Attorney for Plaintiff

FILED

MAR 17 1969

ALICE J. DICK

CLERK
REGISTER

STATE OF ALABAMA

COUNTY OF Baldwin

Personally appeared before me, the undersigned authority, in and for said County and State, MARSHALL Crosby, who after first being duly sworn deposes and says that he is the ADMINISTRATOR of the SOUTH BALDWIN HOSPITAL and as such officer he has the supervision and custody of all the records of the said SOUTH BALDWIN HOSPITAL including the accounts. Affiant further says that on the 24th day of December, 1968, that Cy A. McGiver was indebted to said SOUTH BALDWIN HOSPITAL in the amount of \$ 135.50. Further that this indebtedness is still due and unpaid.

Sworn to and subscribed before me this 27 day of February, 1969.

Robert H. White
Notary Public, State at Large
My commission expires Aug. 5, 1972

CASE NO.

Readmission 8206-66

SOUTH BALDWIN HOSPITAL - 125 FOLEY, ALABAMA

PATIENTS NAME (23-36) LAST Barginer				FIRST Cy		MIDDLE Arthur		HOME ADDRESS P.O. Box 560 Robertsdale			
SEX M	RACE W	AGE 33	DATE OF BIRTH (37-41) 7-28-33		S W I A D M		EMPLOYER Cy's Service Station				
INSURED BY Accident Ins.				CONTRACT OR POLICY NO. (2-10)		TYPE		INS. ASSIGNED		TYPE OF CASE (1) MED. (2) SUG. (3) O.B. (4) ACCID. X	
SUBSCRIBER OR RESPONSIBLE PARTY (12-14)						ADDRESS		PHONE		OCCUPATION	
DATE ADMITTED (15-18) 11-7-66		HOUR 2:00 AM		DATE OF DISC. (19-22) 11/14/66		HOUR 7:00 AM		ADMIT. OFFICER Dr. M. H. Taylor		PRIOR ADM. ATTENDING PHYSICIAN(S) AND ADDRESS 5/31/67 7-25-67	
FINAL DIAGNOSIS AND SURGICAL PROCEDURE <i>Misc statements to Mrs. Barginer 11/1/67</i> <i>Assign statements to Combined 11/1/66</i> <i>Assign statements to William Edward Thibodeau 12/5/66</i>											
DATE 11-7-66		ROOM 2x00110 P		SP-W 10 P		RATE 22.50		DAYS 7		AUTHORIZATION TO RELEASE INFORMATION: I HEREBY AUTHORIZE THE ABOVE NAMED HOSPITAL TO RELEASE TO MY INSURORS ALL INFORMATION WHICH WILL BE CONTAINED HEREON WHEN COMPLETE. DATE _____ SIGNATURE _____	
ASSIGNMENT OF INSURANCE/BENEFITS: I HEREBY AUTHORIZE PAYMENT DIRECTLY TO THE ABOVE NAMED HOSPITAL THE HOSPITAL BENEFITS PAYABLE UNDER THE TERMS OF MY POLICY FOR THIS PERIOD OF HOSPITALIZATION. DATE _____ POLICYHOLDER (L.S.) 11/14/66											

OPERATING ROOM 1. DELIVERY ROOM 2. ANESTHESIA 3.	MEDICAL - SURGICAL I. V. SOLUTIONS 4. TRAYS-CATHETER 5. DRESSINGS-CASTS 6.	X-RAY	LABORATORY	DRUGS	ROOM - BOARD NURSERY NURSING SERVICE COT	MISCELLANEOUS AMOUNT CODE	TOTAL CHARGES OR DESCRIPTION	PAYMENTS ALLOWANCES 7. 8.	DATE	BALANCE	OLD BALANCE PICK-UP
92.50 -1-	8.75			11.70	22.50	30.00 -5-	283.00		11/7/66	283.00	-0-
10.00 -3-				11.45	22.50		39.25		11/8/66	322.25	283.00
				18.65	22.50		43.75		11/9/66	366.00	322.25
				6.40	22.50		28.90		11/10/66	394.90	366.00
				6.05	22.50		28.55		11/11/66	423.45	394.90
				5.65	22.50		28.15		11/12/66	451.60	423.45
				4.25	22.50		26.75		11/13/66	478.35	451.60
							50.00		11/14/66	428.35	478.35
							315		11/14/66	431.50	428.35
							25.00		11/28/66	406.50	431.50
							70.00		11/28/66	336.50	406.50
							126.00		12/1/67	210.50	336.50
							25.00		12/1/67	210.50	210.50
							25.00		12/1/67	185.50	185.50
142.50	11.35		19.00	96.15	157.50	30.00	481.50	25.00	12/4/67	135.50	160.50

BAD DEBT
 DEC - 1967
 DATE _____

AAA ASSIGNMENT SERVICE
 FIRST FEDERAL SAVINGS CLUB
 MOBILE, ALABAMA 36602
 TOTAL CHARGES
 INSURANCE COVERAGE

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CY 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 BARGINER Defendant.....

by BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF

SOUTH BALDWIN HOSPITAL Plaintiff.....

Witness my hand this 17 day of March 19 69

David J. Smith Clerk

Et/3/18/69

No. 8607

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Burton H. Silverstein d/b/a

AAA Assignment Service

Plaintiffs

vs.

Cy Barginer

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

MAR 17 1969

Clerk

ALICE J. BURY

CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT

BY:

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
May be served at

Cys Shell Station in
Robertsdale, Alabama

RECEIVED
Received in Office

MAR 17 1969

19.....

~~WALTER WILKINS~~

Sheriff

I have executed this summons

this 18-March 1969

by leaving a copy with

Cy Barginer

Sheriff claims 30 miles at

Ten Cents per mile Total \$3.00

TAYLOR WILKINS, Sheriff

BY

H. Brown
DEPUTY SHERIFF

Taylor Wilkins Sheriff

H. Brown Deputy Sheriff

50 miles R.T.
Robert Dale

BURTON H. SILVERSTEIN, d/b//a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

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 2nd day of June, 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, June 2, 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 4th day of June, 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 21st day of July, 1969 at 11:20 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 afore-
said to the said Cy Barginear and that he be and appear before this Court on the 21st day of July, 1969, at 11:20 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 10 day of July, 1969.

FILED

JUL 10 1969

ALICE J. DUCK

CLERK
REG. SEC.

Alice J. Duck
Clerk of the Circuit Court

Received 11 day of July 1969
and on 11 day of July 1969
I served a copy of the within Citation
on Cy Barginear

By service on _____

50 miles at

Sheriff claims 5.00
Ten Cents per mile Total \$5.00
TAYLOR WILKINS, Sheriff
Brown
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff

By H. Brown U.S.

Engle R. T.
A. Deal

MD. 8607

Burton A. Silverstein

VS.

Cy Barginear

Delaware

rec'd

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT
SERVICE, AS ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

CY BARGINEAR

Defendant

AT LAW, CASE NO. 8607

NOTICE TO DEFENDANT

TO:

Take notice that upon the written request of Phyllis S. Nesbit,
Attorney for the Plaintiff, filed in this Court in this cause, you are commanded
to file in this Court within thirty days from the service of this notice a
statement in writing, under oath, of employment, wages and assets, including
money, choses in action, notes, bonds and accounts and all other property, real,
personal or mixed or any interest therein, including wages due or payable, with
a detailed description of same, the location and reasonable value of each item
thereof, together with a detailed list or 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.

Be governed accordingly.

Dated this 2nd day of June, 1969.

Alice J. Luck

Clerk of Circuit Court of
Baldwin County, Alabama.

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA --GREETING:

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon

E Cy Barginear

Defendant, and make due return thereon, according

to law.

Witness my hand this the 2nd day of June, 1969.

Alice J. Luck

Clerk, Circuit Court of
Baldwin County, Alabama

CASE NO. 8607

BURTON H. SILVERSTEIN, d/b/a AAA
ASSIGNMENT SERVICE, AS ASSIGNEE OF
SOUTH BALDWIN HOSPITAL,

PLAINTIFF,

VS:

CY BARGINEAR,

DEFENDANT

DISCOVERY OF ASSETS

PHYLLIS S. NESBKT

Received 3 day of June 1969
and on 4 day of June 1969
I served a copy of the within Discovery of Assets
on Cy Barginear

By service on _____

TAYLOR WILKINS, Sheriff
By H. T. Brown D.S.
50 miles N. T.
N. Ala. Ala.

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

DECREE CITING JUDGMENT DEBTOR FOR CONTEMPT

Upon consideration of the Petition filed herein by the above named Defendant on the 10th day of July, 1969, praying that the said Defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the Court that the said Cy Barginear do be and appear before the Court on the 25th day of August, 1969, at 11:00 A-M. and show cause, if any he has, 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 upon the said Defendant.

Dated this the 24th day of July, 1969.

Julian J. Washburn
Circuit Judge

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

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 2nd day of June, 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 June 2, 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 4th of June, 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 25 day of August, 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 Cy Barginear and that he be and appear before this Court on the 25 day of August, 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 24 day of July, 1969.

Alice J. Duck
Clerk of the Circuit Court

Received 24 day of July 1969
and on 28 day of July 1969
I served a copy of the within Citation
on Cy Barginear

By service on _____

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY B. D. Dyer
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff

By B. D. Dyer S.

SP Myler R T.
R-dale.

Citation
Decree

8607
Burton H. Silverstein
d/b/a AAA Assignment

vs.

Cy Barginear

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

DECREE

WHEREAS, on the 24th day of July, 1969, this Court ordered the Defendant, Cy Barginear, to appear before the Court on the 25th day of August, 1969 at 11:00 A.M., and show cause, if any he has, why he should not be held in contempt for willfully refusing to file a statement of assets as required by law in the above styled cause, and,

WHEREAS, it appears to the Court that the Defendant, Cy Barginear, was served with a copy of said order on the 28th day of July, 1969, and the case having been called at the aforesaid time and the Defendant appeared not.

This Court is of the opinion that the Defendant, Cy Barginear, should be adjudged in contempt of Court for his failure and refusal to comply with the order of the Court entered on the 24th day of July, 1969, and that he should be committed to jail as hereinafter decreed.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the said Cy Barginear be and he hereby is adjudged in contempt of this Court, and is ordered committed to jail of Baldwin County, Alabama, till such time as he purge himself of contempt by complying with the orders of the Court heretofore issued.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Sheriff of Baldwin County, Alabama, execute this order by taking the Defendant, Cy Barginear, in custody and committing him to jail in Baldwin County, Alabama.

It is further ORDERED that the Defendant, Cy Barginear, be taxed with the costs accrued by reason of said cause.

DONE this the 29th day of August, 1969.

J. J. Madaleno
Circuit Judge of Baldwin County, Alabama

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

DECREE CITING JUDGMENT DEBTOR FOR CONTEMPT

Upon consideration of the petition filed herein by the above named Defendant on the 10th day of July, 1969, praying that the said Defendant be cited as for a contempt, it is,

ORDERED, ADJUDGED AND DECREED by the Court that the said Cy Barginear do be and appear before the Court on the 21st day of July, 1969, at 11:00 A.M. and show cause, if any he has, 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 upon the said Defendant.

Dated this the 10th day of July, 1969.

Jeffrey H. Madiburu
Circuit Judge

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

PLAINTIFF'S PETITION TO CITE DEFENDANT FOR CONTEMPT

Now comes the Plaintiff in the above styled cause and shows that on, to-wit, June 2, 1969, a notice was issued out of this Honorable Court by the Clerk thereof requiring the above named Defendant to file a statement of his assets as required by Code 1940, Title 7, 903; that said notice was duly and personally served on the said Defendant on the 4th day of June, 1969; that said Defendant has willfully refused to file such statement.

The premises considered, the Plaintiff petitions the Court that the said Cy Barginear 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: A. H. Nesbit

Attorney for Plaintiff

FILED

JUL 10 1969

ALICE J. BUCK CLERK
REGISTER

no. 8607

Burton A. Silverstein

U.S.

Cy. Barguinear

1. Petition
2. Decree

FILED

JUL 10 1969

ALICE J. DUGAN

CLERK
REGISTER

neibet

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

Received 11 day of July 1969
and on 11 day of July 1969
I served a copy of the within 1st & 2nd
on Cy. Barguinear

By service of

TAYLOR WILKINS, Sheriff
BY A. Brown D.S.
50 miles at 10 cts.

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

REQUEST FOR DISCOVERY OF ASSETS

The Plaintiff herein having recovered on the 24th day of April, 1969, a Judgment against the Defendant in the above styled cause for the sum of ONE HUNDRED THIRTY EIGHT and 20/100 DOLLARS (\$138.20) 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 Cy Barginear 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 Cy Barginear, 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 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 Cy Barginear resides at Robertsdale, Alabama.

Dated this 2 day of June, 1969.

WILTERS, BRANTLEY & NESBIT

BY:

Phillip L. Nesbit
Attorney for Plaintiff and Judgment Creditor

FILED

JUN 2 1969

ALICE J. DUCK

CLERK
REGISTER

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE, AS
ASSIGNEE OF SOUTH BALDWIN
HOSPITAL

Plaintiff

VS.

CY BARGINEAR

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8607

REQUEST FOR DISCOVERY OF ASSETS

The Plaintiff herein having recovered on the 24th day of April, 1969, a Judgment against the Defendant in the above styled cause for the sum of ONE HUNDRED THIRTY EIGHT and 20/100 DOLLARS (\$138.20) 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 Cy Barginear 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 Cy Barginear, 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 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 Cy Barginear resides at Robertsdale, Alabama.

Dated this 2 day of June, 1969.

WILTERS, BRANTLEY & NESBIT

BY:

Thelma J. Nesbit
Attorney for Plaintiff and Judgment Creditor

FILED

JUN 2 1969

ALICE J. DUCK

CLERK
REGISTER