

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.

RICHARD E. ELLISON, SR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8809

REQUEST FOR DISCOVERY OF ASSETS

The Plaintiff herein having recovered on the 15th day of September, 1969, a Judgment against the Defendant in the above styled cause for the sum of TWO HUNDRED TWENTY ONE and NO/100 DOLLARS (\$221.00) 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 Richard E. Ellison, Sr. 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 Richard E. Ellison, Sr., 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 incombrances thereon, showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

The said Richard E. Ellison, Sr. resides at Robertsdale, Alabama.

Dated this 19 day of November, 1969.

WILTERS, BRANTLEY & NESBIT

BY: 

Attorney for Plaintiff

FILED

NOV 19 1969

ALICE J. DUCK CLERK
REGISTER

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Defendant.

AT LAW. Case No. 8809

ANSWER TO WRIT OF DISCOVERY

That his assets are non existant in that he owns nothing, no money, no choses in action, no notes, no bonds and no accounts owing to the Defendant, and that he the said Defendant does not own or have any interest in any real estate, or in any personal property or mixed property.

Richard E. Ellison Sr.
Defendant

BALDWIN COUNTY

BEFORE ME, the undersigned authority in and for said County in said State, this day personally appeared, Richard E. Ellison, Sr., who being by me first duly sworn, under oath, deposes and says: That he is the Defendant named in the above styled cause, that he has read over the foregoing answer to writ of discovery filed therein and that the allegations contained therein are true.

Richard L. Ellison Sr.
Defendant

Sworn to and subscribed before me on this the 3 day of January, 1970.

Notary Public

AGE 1 200

QSR
QSR

53- c

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE,
Plaintiff
vs;
RICHARD E. ELLISON, SR.,
Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 8809

WRIT OF DISCOVERY

TO Richard E. Ellison, Sr.

TAKE NOTICE, THAT, WHEREAS THE PLAINTIF 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 Richard E. Ellison, Sr. 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, CHOSSES 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 19th DAY OF November

19 69

Allice J. Duck
CLERK

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS.

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING NOTICE UPON THE ABOVE NAMED Richard E. Ellison, Sr. AND MAKE DUE RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

Allice J. Duck
CLERK

53-B

CASE NO. 8809

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE,

Plaintiff

vs:

RICHARD E. ELLISON, SR.,

Defendant

WRIT OF DISCOVERY

PHYLLIS S. NESBIT, Atty.

Received 20 day of Nov 1969
and on 22 day of Dec 1969
I served a copy of the within writ of discovery
on Richard E. Ellison, Sr.

By service on _____

TAYLOR, WILKINS, Sheriff
By W. J. Hall D. S.

R. Dale.

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

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.

RICHARD E. ELLISON, SR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE No. 8809

Under authority of Title 7, 904, of the Code of Alabama of 1940, the judgment against the above named Defendant now remaining unsatisfied, the Plaintiff files the following affidavit and prays that this Honorable Court shall make an order requiring judgment debtor to appear before this Court on a day to be set by the Court and to submit to an oral examination under oath touching the nature, location, description and value of the assets of said judgment debtor and prays that judgment debtor be required to produce any and all papers, documents or books which may contain material evidence of such assets.

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Carol S. Stalling, a Notary Public in and for said State and County, Phyllis S. Nesbit, who being duly sworn says on oath that she is the attorney of record for Burton H. Silverstein, d/b/a AAA Assignment Service, Plaintiff in the above styled cause, and further states that the best of affiant's knowledge, information and belief the foregoing statement does not contain a full, true and correct statement and description of such assets as required herein.

Sworn to and subscribed before me, this 20th day of
January, 1970.



Notary Public, Baldwin County, Alabama

WILTERS, BRANTLEY & NESBIT

Attorneys for Plaintiff

FILED

JAN 22 1970

ALLIANCE
CLERK
REGISTER

53-15

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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.

RICHARD E. ELLISON, SR.

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8809

ORDER

This day came Phyllis S. Nesbit, attorney of record for Burton H. Silverstein, d/b/a AAA Assignment Service, the Plaintiff in the above styled cause, and filed her affidavit that to the best of affiant's knowledge, information and belief the statement of assets heretofore filed by Richard E. Ellison, Sr., the above named Defendant and judgment debtor, is not a full, true and correct statement and description of his assets and the said judgment in this cause remaining unsatisfied, and now, upon consideration of the same, it is,

Considered, ORDERED and ADJUDGED that the said Richard E. Ellison, Sr. be and appear before the Court in his own proper person at 1:00 P. M. on the 3rd day of February, 1970, to submit to an oral examination under oath touching the nature, location description and value of such assets; and that the said Richard E. Ellison, Sr. do, at the time and place hereinabove named, produce and bring with him all papers, documents or books which may contain material evidence of his assets.

Let a copy of this Order be served forthwith upon the said Richard E. Ellison, Sr.

DATED this 23rd day of January, 1970.

John A. Markburn
Circuit Judge of Baldwin County, Alabama

Received 23 day of January 1970
and on 31 day of January 1970

I served a copy of the within Affidavit & Order
on Richard E. Ellison, Sr.

By service on _____

TAYLOR, WILKINS, Sheriff

By H. Brown D. S.

Stick Receipt
Comin P.T.

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY Brown DEPUTY SHERIFF

To be served on

Richard E. Ellison, Sr.
Robertsdale

No. 8809

Borton H. Silverstein

OS.

Richard E. Ellison, Sr.

1. Affidavit

2. Order

FILED

JAN 23 1970

ALICE J. BUNK

CLERK
REGISTER

Mesbri

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.

RICHARD E. ELLISON, SR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8809

1.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED EIGHTY THREE and NO/100 DOLLARS (\$183.00), due from him by account between the Defendant and Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, on the 14th day of March, 1966, which sum of money with interest thereon, is still unpaid and is the property of the Plaintiff by assignment made to him by Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, on April 1, 1967.

2.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED EIGHTY THREE and NO/100 DOLLARS (\$183.00), due from him by account between the Defendant and Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, on the 14th day of March, 1966, which sum of money with interest thereon, is still unpaid and is the property of the Plaintiff by assignment made to him by Drs. John E. Foster and Julius Michaelson, d/b/a Medical Arts Center, on April 1, 1967. 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: *Thurles Nesbit*
Attorney for Plaintiff

FILED

JUL 17 1969

ALICE J. DUCK

CLERK
REGISTER

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 Richard E. Ellison, Sr.

~~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.....

Richard E. Ellison, Sr. Defendant.....

by 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.....

Witness my hand this 17 day of July 1969

Philip J. Duck Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Burton H. Silverstein, d/b/a

AAA Assignment Service

Plaintiffs

vs.

Richard E. Ellison, Sr.

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** 19.....

JUL 17 1969

Clerk

ALICE J. DUCK

CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT

BY:

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

% J. V. Steadham, Robertsdale

Received In Office

JUL 17 1969

19.....

WILTERS

Sheriff

I have executed this summons

this 11-Aug 1969

by leaving a copy with

Richard E. Ellison, Sr.

Taylor Wilkins Sheriff

H. J. Brown Deputy Sheriff

52 miles R.T.
Rosenton

Foley, Alabama
April 1, 1967

For value received, we Dr. John E. Foster
and Dr. Julius Michaelson d/b/a/
Medical Arts Center do hereby assign and
set over to B.H. Silverstein d/b/a
AAA Assignment Service the account
owed us by

Richard E. Ellison, Sr.

Medical Arts Center

by

Julius Michaelson

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STATE OF Alabama
COUNTY OF Baldwin

Personally appeared before me, the undersigned authority, in and
for said County and State, Daniela Blackwell, who after
first being duly sworn deposes and says that she is the bookkeeper
of the Medical Arts Center
and as such officer he has the supervision and custody of all the records
of the said Medical Arts Center including the
accounts. Affiant further says that on the 14 day of March,
1966, that Richard E. Ellison, Sr. was indebted to said
Medical Arts Center in the amount of \$ 183.00.
Further that this indebtedness is still due and unpaid.

Daniela L. Blackwell
Sworn to and subscribed before me this 27 day of January,
1969.

James H. Filmore
Notary Public, State of Alabama
My commission expires Aug. 5, 1972

STATEMENT

MEDICAL ARTS CENTER

P. O. DRAWER 1 B

FOLEY, ALABAMA

CODE: 11s - MRS.
 Mr. Richard E. Ellison, Sr.
 Rt 1 Box 99 or 94 -
 Robertsedale, Ala.

NUMBER:

1 23344
 2 21009
 3 27967
 4 _____
 5 _____
 6 _____
 7 _____
 8 _____

1963-Cooper Sales Co.

CODE				CHARGES	CREDITS	BALANCE
Doctor	Family	Service				
FORWARDED						
63	2	1, 15		150.00		150.00•
63	2	1, 2		3.00		153.00•
63	2	1, 2		3.00		156.00•
delivered male infant 11-10-63(12)						156.00•
63	4	2, 7		15.00		171.00•
63	2	2, 1		4.00		175.00•
63					100.00	75.00•
64					75.00	.00•
64	2	2, 1		5.00		5.00•
64	2	2, 1		5.00		10.00•
64	2	2, 1		4.00		14.00•
64	2	2, 1		3.00		17.00•
64	2	1, 1		1.00	5.00	12.00•
64	2	2, 2		3.00		13.00•
64	2	1, 1		3.00		16.00•
64		1, 12		3.00		
64	2	1, 1		3.00		22.00•
64	2	1, 15		3.00		25.00•
64	1	1, 2		150.00		175.00•
64	2	2, 1		3.00		178.00•
64	2	2, 1		5.00		183.00•
delivered female infant 3/14/66(12)						183.00•

Medical Arts Center Bldg.
 P. O. Box 987

1 Office Visit
 2 Injection
 3 Complete Exam
 4 House Call
 5 Night Call

SERVICE RENDERED CODE

6 Hospital Care
 7 Surgery
 8 X-Ray
 9 EKG
 10 Physiotherapy

11 Orthopedic Care
 or Cast
 12 Laboratory
 13 VA or FB
 14 Emergency Room

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