

R. A. Norred
ATTORNEY

200 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE
323-4076

September 4, 1969

Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

Re: Mid-State Homes, Inc.
vs.
T. C. Stewart and Catherine Stewart
Law Case No. 8813

Dear Mrs. Duck:

It is my impression that the above case is ready for a default judgment.

As I understand Title 7, Section 951, the defendants' default operates as an admission of title in the plaintiff, but that the plaintiff cannot recover costs in the absence of proof of possession by the defendants.

It is my suggestion - if it would not be too much trouble to you, that you present the file to the Judge with the request that he enter a default judgment for the plaintiff for the property sued for, and that costs be taxed against the plaintiff. I am enclosing a suggested form for such default judgment.

I will appreciate hearing from you as to whether or not a judgment has been entered.

Yours very truly,

R. A. Norred
R.A. Norred

RAN/hn

Enc.

R. A. Norred
ATTORNEY

101-A 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM 3, ALABAMA
TELEPHONE
323-4076

July 21, 1969

Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

Re: Mid-State Homes, Inc.
vs.
T. C. Stewart and Catherine Stewart

8813

Dear Mrs. Duck:

I enclose herein an original and 2 copies of a Summons and Complaint for filing and service on the above. The defendants' address is Route 1, Box 156, Perdido, Alabama.

I will appreciate it very much if you will acknowledge receipt hereof, confirming the filing date, and if you will also advise when service has been perfected on the defendants.

Thank you for your cooperation in this matter.

Yours very truly,


R. A. Norred

RAN/nn

Enc.

R. A. Norred
ATTORNEY

200 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE
323-4076

September 8, 1969

Clerk
Circuit Court of Baldwin County
Baldwin County Court House
Bay Minette, Alabama

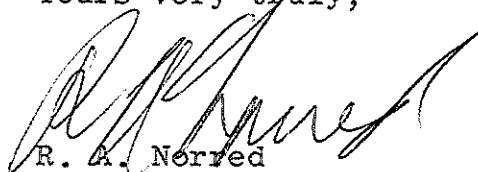
Re: Mid-State Homes, Inc.
vs.
T. C. Stewart and Catherine Stewart
At Law, Case #8813

Dear Sir:

Thank you for the copy of the Default Judgement recently
forwarded to me.

I will also appreciate being advised of the amount of the
Court costs so that I may bill my client immediately.

Yours very truly,


R. A. Norred

RAN/hc

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8813

DEFAULT JUDGMENT

This day came the plaintiff by its attorney and the defendants being called, came not, but made default, and on motion of the plaintiff, it is considered and adjudged, and it is the judgment of the Court, that judgment be and the same is hereby rendered in favor of the plaintiff and against the defendants for the following described property:

Beginning at the SE Corner of Sec. 20, Twp. 1 N.; R. 4 E.; thence run W. on and along the S. line of Sec. 20 1320 ft. to a point on the Northerly Margin of Rabon Road; thence run N. Westwardly on and along the Northern side of said road 275 ft. to the true P.O.B. Thence continue on North Westwardly along the Northerly line of said road 210 ft. to a point; thence run North 210 feet to a point, thence run Southeasterly parallel to said road a distance of 210 ft. to a point; thence run South 210 ft. back to the P.O.B. Land lying and being in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 20, T 1 N; R 4 E.

It is, therefore, considered, ordered, and adjudged by the Court that the plaintiff have and recover of the defendants the aforesaid property, and that the costs herein are taxed against the plaintiff, for all of which let execution issue.

This, the 5th day of September, 1969.

FILED

SEP 5 1969

ALICE J. DUCK

REC-5

Jesse A. Madsen
CIRCUIT JUDGE

R. A. NORRED, ATTORNEY

200 2121 BUILDING
2121 8TH AVE., NORTH
BIRMINGHAM, ALABAMA 35203

To

┌
Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

└ _____
DATE 9/10/69 SUBJECT Mid-State Homes, Inc.
VS.
T. C. Stewart, et al
Case No. 8813

Dear Mrs. Duck:

Reference is made to the above case. It will not be necessary to issue the Writ of Possession, as the house is vacant. I shall forward you a check in the amount of \$23.20 within the next few days.

Also re: Jim Walter Corporation vs. Louis Riddle
Case No. 8864 -

Please be advised that I received the note this date that service has been perfected, so please disregard my x letter to you of this date.

Thank you so much for your splendid cooperation.

Yours very truly,

R. A. Norred
R.A. Norred

RAN/hn

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon T. C. STEWART and
CATHERINE STEWART,
to appear within thirty days from the date 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 MID-STATE HOMES,
INC., a corporation.

Witness my hand this 22nd day of July, 1969.

Alice J. Duck
CLERK

MID-STATE HOMES, INC.,
a corporation,

PLAINTIFF,

VS.

T. C. STEWART and
CATHERINE STEWART,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8813

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the
following tract of land in Baldwin County, Alabama:


Beginning at the SE Corner of Sec. 20, Twp. 1 N.; R. 4 E.;
thence run W. on and along the S. line of Sec. 20- 1320 ft.
to a point on the Northerly Margin of Rabon Road; thence run
N. Westwardly on and along the Northern side of said road 275
ft. to the true P.O.B. Thence continue on North Westwardly
along the Northerly line of said road 210 ft. to a point; thence
run North 210 feet to a point, thence run Southeasterly parallel
to said road a distance of 210 ft. to a point; thence run South
210 ft. back to the P.O.B. Land lying and being in the SW $\frac{1}{4}$ of
the SE $\frac{1}{4}$ of Sec. 20, T 1 N; R 4 E.

of which the Plaintiff was in possession, and upon which, pending such possession, and before the commencement of this suit, the defendants entered and unlawfully withhold, together with \$1,000.00 for the detention thereof.

COUNT TWO: The Plaintiff sues to recover the possession of the following tract of land in Baldwin County, Alabama:

(The Plaintiff incorporates herein as in fully and completely set out at length herein, by reference and adoption, the full legal description of the real estate set out and described in Count One of the Complaint.)

to which said tract of land the Plaintiff has the legal title, and upon which tract of land, before the commencement of this suit, the defendants entered and unlawfully withhold, together with \$1,000.00 for the detention thereof.


R. A. Norred, Attorney for Plaintiff
200 2121 Building
2121 8th Avenue, North
Birmingham, Alabama 35203
Telephone 323-4076

PLAINTIFF'S ADDRESS:

Mid-State Homes, Inc.
c/o R.A. Norred, Attorney
200 2121 Building
2121 8th Ave. North
Birmingham, Alabama 35203

DEFENDANTS' ADDRESS:

T.C. Stewart and
Catherine Stewart
Route 1 Box 156, Perdido, Alabama

FILED

JUL 22 1969

ALICE J. DUCK

CLERK
REGISTER

Received 22 day of July 1969
and on 24 day of July 1969
I served a copy of the within etc
on J.C. Stewart & Catherine Stewart

By service on _____

Sheriff claims \$6.52 miles at _____

Ten Cents per mile Total \$ 6.52
TAYLOR WILKINS, Sheriff

BY T. Wilkins
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff
By W. A. Talbot D. S.
Radcliff

A. A. Norred

WILFRED J. DUCK

CLERK
REGISTER

JUL 22 1969

FILED

J. C. Stewart +
Catherine Stewart
Depts.

no.

Pltz

Mid-State Homes
Inc. a corp.

8813