

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

IN THE MATTER OF THE
PETITION FOR RECIPROCAL
ENFORCEMENT OF SUPPORT
OF DEPENDENTS.

Case No. 3530

OLENA FAY CUNNINGHAM,

Petitioner, vs.

CECIL F. BUTLER, Respondent

This cause coming on to be heard was submitted upon a certified copy of a petition filed by Olena Fay Cunningham, filed in this Court under the provisions of Reciprocal Legislation as set forth in Code of Alabama, 1940, as amended, Title 34, Sections 105 to 122, inclusive; a copy of said petition was duly served upon the Respondent, Cecil F. Butler, on the 2nd day of September, 1955; and the evidence in the case was heard this date.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Cecil F. Butler, the Respondent, pay to the Petitioner, Olena Fay Cunningham, for the support of their five children, Patty Butler, Judy Butler, Beverly Butler, Jimmy Butler and Sharon Butler, the sum of fifteen dollars (\$15.00) per week. Said payments will be made each week to Chas H. Pent, Clerk of Circuit Court, P.O. Box 1110, Tampa, Fla.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the said Cecil F. Butler pay all the costs of this Court in connection with this cause.

Dated this 14th day of September, 1955.

Hubert M. Hall
Judge of the Circuit Court of
Baldwin County. In Equity



OFFICE OF
CHAS. H. PENT
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY
P. O. Box 1110
TAMPA, FLORIDA

DEPARTMENTS
DELINQUENT TAXES
COUNTY RECORDER
CIRCUIT COURT RECORDS
Law and Chancery

CIVIL PROCEEDINGS FOR
SUPPORT OF DEPENDENT
WIVES AND CHILDREN

May 18, 1955

Clerk of Circuit Court
Baldwin County
Gulf Shores, Alabama

Olena Fay Cunningham vs.
Cecil F. Butler
No. 99756-C

Dear Sir:

The papers in the above cause were filed in this office
May 16, 1955.

Herewith enclosed you will find necessary papers for a
determination in your State under The Uniform Support
of Dependents Law.

is entered

If an order for payment of support/in your Court, will
you please have payments forwarded to us and checks
made payable to CHAS. H. PENT, CLERK OF CIRCUIT COURT?
The order for payment of support should be mailed to
this office.

Yours very truly,

CHAS. H. PENT
CLERK OF CIRCUIT COURT

BY

P. L. Atkinson
P. L. Atkinson, D. C.

PLA/m

IN THE CIRCUIT COURT OF HILLSBOROUGH COUNTY, FLORIDA.

OLENA FAY CUNNINGHAM
PETITIONER

CIVIL PROCEEDINGS FOR
SUPPORT OF DEPENDENT
WIVES AND CHILDREN.

VS.

NO. 99756-C

CECIL F. BUTLER
RESPONDENT.

PETITION FOR SUPPORT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The petition of OLENA FAY CUNNINGHAM, respectfully shows:
Petitioner

1. THAT she is the ^{ex-}wife of CECIL F. BUTLER,
the respondent; that petitioner was duly married to said respondent on or
about NOV. 1950 at TAMPA, FLORIDA,
Date Place of marriage

and now resides at RT. 1, BOX 141, ODESSA, FLORIDA, County of
Address

Hillsborough, Florida.

2. THAT Petitioner is the mother and said respondent is the
father of the following named dependent (s).

(Names and Dates of Births)

<u>PATTY</u>	<u>BORN DEC. 7, 1952</u>
<u>JUDY</u>	<u>BORN. SEPT. 6, 1949</u>
<u>BEVERLY</u>	<u>BORN OCT. 25, 1946</u>
<u>JIMMY</u>	<u>BORN Oct. 5, 1945</u>
<u>SHARON</u>	<u>born Feb. 16, 1943</u>

3. THAT petitioner and said child (ren) (~~is~~) (are) entitled to
support from the respondent under the provisions of the Uniform Reciprocal
Enforcement of Support Act of this State (Chapter 27996, Laws of 1953) a
copy of which is attached and made a part hereof.

4. THAT respondent, on or about APRIL 24, 1955, and
date
subsequent thereto, refused and neglected to provide fair and reasonable
support for petitioner and the other dependents according to his means and
earning capacity.

5. THAT, upon information and belief, respondent now is residing or domiciled at GULF SHORES, ALABAMA, is earning
Address and State

\$ 65-70 per (week) (month), and is within the jurisdiction of
the court of CIRCUIT, BALDWIN COUNTY, GULF SHORES, ALABAMA
Name of Court in Responding State

which State has enacted a law substantially similar to the Uniform Reciprocal Enforcement of Support Act of this State.

WHEREFORE, the petitioner prays for such an order for support, directed to said respondent, as shall be deemed to be fair and reasonable, and for such other and further relief as the law provides.

/s/ Olena Fay Cunningham
PETITIONER

Personally appeared before me OLENA FAY CUNNINGHAM to
Name of Petitioner

me personally known and made oath that she has read the above petition and knows the contents thereof, and that the same are true of her own knowledge except as to matters stated on information and belief, and as to these matters she believes them to be true.

Dated at Tampa, Florida this 16th day of MAY
1955.

CHAS. H. PENT
CLERK OF CIRCUIT COURT

BY /s/ Henry Garcia D.C.

IN THE CIRCUIT COURT IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

OLENA RAY CUNNINGHAM
PETITIONER

-VS-

CECIL E. BUTLER
RESPONDENT

NO. 99756-C

CERTIFICATE AND ORDER

The undersigned Judge of the Circuit Court of Hillsborough County, Florida, certifies that a verified petition has been filed in this Court in a Proceeding by the Petitioner against the Respondent under The Uniform Support of Dependents Law of Florida. Upon the facts set forth in the Petition, the Respondent owes a legal duty of support to the Petitioner and her children.

A Summons has not been served on the Respondent for the reason that it has been determined that he is not a resident of the State of Florida.

From the facts alleged in the Petition the Respondent is believed to be residing or domiciled at GULF SHORES, ALABAMA
(Street Address) (City)

in the State of ALABAMA and it appears that the CIRCUIT
Court of the State of ALABAMA, County of BALDWIN,
has jurisdiction, as said state has adopted an act substantially similar and reciprocal to the Florida Uniform Support of Dependents Law.

It is the opinion of the undersigned Judge that the Respondent should be compelled to answer such Petition and should be dealt with according to law and required to provide for the support of Petitioner and their child(ren) as prayed for in the said Petition.

IT IS THEREFORE ORDERED by the Circuit Court of Hillsborough County, Florida, on this 16th day of MAY, 19 55, that this Certificate and an exemplified copy of the Petition be transmitted to the above Court in the State of ALABAMA wherein the Respondent resides.

/s/ Henry C. Tillman
Judge, Circuit Court of Hillsborough
County, Thirteenth Judicial Circuit
of Florida.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
IN CHANCERY

OLENA FAY CUNNINGHAM
Petitioner

vs.

CECIL F. BUTLER
Defendant - Respondent

No. 99756-C

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared

OLENA FAY CUNNINGHAM, who first being duly sworn
deposes and says that she is insolvent and unable to pay the charges,
costs, or fees normally payable by law to Clerk of Circuit Court as a
filing fee, or to the Sheriff or other officer for the cost of serving
process; this oath is made to comply with F. S. A. 58.09 to obtain
payment of the suit costs and expenses by the County.

/s/ Olena Fay Cunningham
Petitioner

Sworn to and subscribed before
me this 16th day of MAY
A. D. 19 55

/s/ Blanche K. Earle
Notary Public State at Large.
My commission expires: 9-16-56

I DO HEREBY CERTIFY that I am a member of the Bar of
Hillsborough County, Florida; that I have made an investigation to
ascertain the truth of the affidavit appearing above and I believe the
same to be true; I have investigated the nature of the claim to be put
in suit and have the opinion that it is meritorious as a matter of law;
I have not been paid or promised payment of any fee or other remuneration
for my services and intend to act as the attorney for plaintiff without
charge or compensation.

Dated at Tampa, Florida, this 16 day of MAY
19 55

/s/ J. Frank Umstot
ASS'T. State Attorney, 13th Judicial
Circuit of the State of Florida.

NON-SUPPORT QUESTIONS.

OLENA FAY CUNNINGHAM
Complainant

DOCKET NO. _____

vs.

CECIL F. BUTLER
Defendant

D. R. NO. ~~676X~~ 99756-C

INFORMATION OF OLENA FAY CUNNINGHAM
Complainant

1. Q. What is your full name?
A. OLENA FAY CUNNINGHAM
2. Q. When and where were you married to the defendant?
A. TAMPA, NOV. 1950 (second time)
3. Q. Are you still married to the defendant?
A. NO
4. Q. If not married to him, when and where divorced?
A. TAMPA, FLORIDA, JAN. 13, 1955
5. Q. Were any children born of this marriage?
A. YES
6. Q. What are their names and ages?
A. PATTY 3 - BORN DEC. 7, 1952 -- JUDY 6, BORN SEPT. 6, 1949 ---
BEVERLY 9, BORN OCT. 25, 1946 -- JIMMY 10, BORN OCT. 5, 1945
SHARON, 12, BORN FEB. 16, 1943
7. Q. Which ones are with you?
A. ALL
- 8-a Q. Were you married before, if so were there any children?
A.
- 8-b Q. Where are they now?
A.
9. Q. What is your residence address?
A. RT. 1, BOX 141, ODESSA
10. Q. When was it your husband last lived with you?
A. SEPT. 1953
11. Q. When and how much was his last contribution for support?
A. \$35.00 APRIL ~~XX~~, 24, 1955
12. Q. Do you have an Order for support in any Court?
A. UNDER DIVORCE DECREE \$35.00 per week
13. Q. Are you employed, and if so what are your earnings?
A. NO

14. Q. Have you any other source of income: what source and amount?

A. REMARRIED

15. Q. What is your health condition and your children?

A. GOOD

16. Q. Have you any debts outstanding?

A.

17. Q. If so, list them.

A.

18. Q. What amount do you require for your support and how much for your children?

A. \$35.00 per week

19. Q. What is the address where your husband is now living?

A. GULF SHORES, ALABAMA

20. Q. Where is your husband now employed, give the address?

A. RATCLIFFS RESTAURANT, GULF SHORES, ALABAMA

21. Q. What is his position and salary, if you know?

A. COOK - \$60-\$70 weekly

22. Q. Are you now receiving public aid; if so, how much?

A. NO

Tampa, Florida MAY 16, 1955.

/s/ Olena Fay Cunningham
Signature of Complainant

Before me the undersigned authority personally appeared OLENA FAY CUNNINGHAM, complainant in this action who first being duly sworn states that the answers given above are true and correct.

/s/ Olena Fay Cunningham
Complainant

Sworn to and subscribed before me
this 16th day of MAY,
A. D. 1955.

/s/ Blanche K. Earle
Notary Public State at Large.

The foregoing interrogation was conducted under the supervision of
/s/ J. Frank Umstot.

J. Frank Umstot
Ass't. State Attorney

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon _____ Cecil F. Butler

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by

Olena Fay Cunningham

against _____ Cecil F. Butler

Herein fail not. Due return make of this writ as the law directs.

Witness this _____ 23rd day of _____ May _____, 1955

W. C. Butler, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

No. 3530

Page ✓

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

OLENA FAY CUNNINGHAM

vs.

CECIL F. BUTLER

SUMMONS

Returned by the Sheriff and filed in office, this

the _____ day of _____, 19____.

_____, Register.

Radcliff Rest.
Guy Shores

Received in office, this the 29 day of

May, 1935
Walter Williams, Sheriff.

I have executed the within by leaving a copy
thereof with *H. S.*

defendant named herein, on this the _____

day of May, 1935

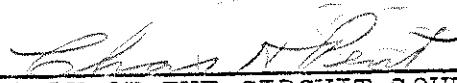
Walter Williams, Sheriff.

By *Walter Williams*, Deputy.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, CHAS. H. PENT, CLERK OF THE CIRCUIT COURT of the County of Hillsborough, State of Florida, having by law the custody of the seal and all the records, books, documents and papers of or appertaining to the Circuit Court, do hereby certify that the above and foregoing are true and correct copies of the Petition, Certificate and Order of the Court, Non Support Questions, and Uniform Reciprocal Enforcement of Support Act of the State of Florida (Chapter 27996, Laws of 1953) in the case of Olena Fay Cunningham, Petitioner, vs. Cecil F. Butler, Case No. 99756-C.

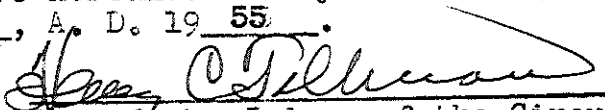
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Circuit Court, this the 17th day of May A. D. 1955.


CLERK OF THE CIRCUIT COURT OF
HILLSBOROUGH COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Henry C. Tillman, one of the Judges of the Circuit Court of the Thirteenth Judicial Circuit of the State of Florida, in and for Hillsborough County, do hereby certify that the signature attached to the above certificate and attestation, purporting to be of CHAS. H. PENT, is his genuine signature, and at the time thereof he was Clerk of the Circuit Court of Hillsborough County, Florida, and as such full faith and credit are due all his acts, and that said attestation is in due form of law and by the proper officer.

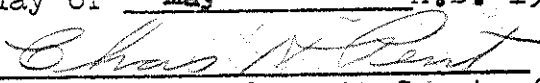
IN WITNESS WHEREOF, I have hereunto set my hand this the 17th day of May, A. D. 1955.


One of the Judges of the Circuit
Court of the Thirteenth Judicial
Circuit of the State of Florida
in and for Hillsborough County.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, CHAS. H. PENT, CLERK OF THE CIRCUIT COURT of Hillsborough County, Florida, having by law the custody of the seal and all the records, books, documents and papers of or appertaining to the said Circuit Court, do hereby certify that Henry C. Tillman whose signature is affixed to the foregoing certificate is one of the Judges of the Circuit Court of the Thirteenth Judicial Circuit of the State of Florida and duly qualified and commissioned, and that said signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court this the 17th day of May A.D. 1955


Clerk of the Circuit Court of
Hillsborough County, Florida

OLA FAY CUNNINGHAM
COMPLAINANT

VS

CECIL F. BUTLER
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
INEQUITY CASE NO. _____

D E C R E E

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It appearing to the Court that there has been an order in the above styled cause, and it further appearing to the Court that said cause is no longer active, and it further appearing to the Court that the costs were taxed in said cause against the Defendant and returned "No Property Found" by the Sheriff of this County, and upon consideration, it is ORDERED, ADJUDGED and DECREED by the Court that said cause be and hereby is transferred to the inactive docket of this Court, and it is further ORDERED that the costs incurred in this cause be taxed against the State of Alabama pursuant to Section 119(b), Title 34, 1955 Cumulative Pocket Parts, Code of Alabama.

This 14 day of January 1958

Hubert M. Hume
Judge Circuit Court, In Equity.

Filed 1-24-58
Alice J. Hume
Register