

3737

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- DONNIE ELNORA SUMMERLIN -----, Complainant
vs.

----- ROSS LEE SUMMERLIN -----, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on answer and waiver ----- and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said ----- Donnie Elnora Summerlin ----- is forever divorced from the said ----- Ross Lee Summerlin ----- for and on account of -----
Cruelty

And it is further Ordered, Adjudged and Decreed that custody of -----
Pamela Darlene Summerlin, the child of this marriage, be, and the -----
same is hereby given to the said Ross Lee Summerlin, Respondent, -----
and complainant to have reasonable visiting privileges. -----

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that -----
the ----- Complainant ----- pay the cost herein to be taxed, for which executed may issue.

This ----- 8 ----- day of ----- November -----, 19 ----- 56

Judge Circuit Court, In Equity.

I, -----, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the ----- day of -----, 19 -----

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

NOV 8 1956

ALICE J. DUCK, Register

Donnie Elnora Summerlin

Ross Lee Summerlin

vs.

THE STATE OF ALABAMA
Baldwin County
IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
and testimony of Donnie Elnora Summerlin and Rosetta Travis

and in behalf of Defendant upon Answer and waiver

W. S. H. [Signature]
Solicitor for Complaint

Alice J. Duck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

DONNIE ELNORA SUMMERLIN

vs.

ROSS LEE SUMMERLIN

NOTE OF TESTIMONY

Filed in Open Court this

day of

FILED
NOV 8 1956
ALICE J. DUCK, Register 194

Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: RUTH HOWELL

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine DONNIE ELNORA SUMMERLIN and ROSETTA TRAVIS

as witnesses in behalf of COMPLAINANT in a cause pending in our Circuit Court in Baldwin County, of said State, wherein DONNIE ELNORA SUMMERLIN is

Complainant

and ROSS LEE SUMMERLIN is

Respondent

on oath, to be by you administered, upon Them to take and certify the deposition^s of the witness^s and return the same to our Court, with all convenient speed, under your hand.

Witness 17th day of February, 1956

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 3737

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

DONNIE ELMORA SUMMERLIN

Complainant

VS.

ROSS LEE SUMMERLIN

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

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DONNIE ELNORA SUMMERLIN

Complainant

VS

ROSS LEE SUMMERLIN

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

IN EQUITY

NUMBER: 3737

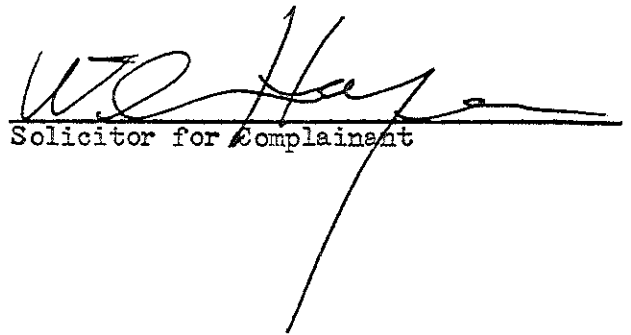
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Comes now the Complainant in the above styled cause by her Attorney and moves the Court to set aside the Court's order dismissing Complainant's cause upon Complainant's payment of costs expended and prays judgement on the original Bill of complaint.

FILED

NOV 6 1956

ALICE J. DUCK, Register


Solicitor for Complainant

RECORDED

INDEXED
NOV 10 1956
BALDWIN COUNTY

DONNIE ELNORA SUMMERLIN

Complainant

VS

ROSS LEE SUMMERLIN

Respondent

IN EQUITY

NUMBER: 3737

MOTION

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

DONNIE ELNORA SUMMERLIN

Complainant

VS.

ROSS LEE SUMMERLIN

Respondent

I, RUTH HOWELL

as Register and Commissioner

have called and caused to come before me Donnie Elnora Summerlin

witness named in the Requirement for Oral Examination, on the 7th day of February
1956, at the office of

in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Donnie Elnora Summerlin,
she doth depose and say as follows:

My name is Donnie Elnora Summerlin I am a resident of Baldwin County, Alabama. I am twenty-one years of age. I am the Complainant in this cause. I was married to Ross Lee Summerlin on December 29th, 1953 in Lucedale, Mississippi. We lived together as husband and wife until October 10, 1955. On that day he threatened to strike me. He hit me with his fist several times on the head and face and knocked me down. He threatened to hit me again and I was afraid that he would do so. He injured me and made my eye sore for over a week.

He is a resident of Baldwin County, Alabama.

I believe he is a fit and proper person to have custody of our child, Pamela Darlene.

Donnie Elnora Summerlin

ORAL EXAMINATION.

I, RUTH HOWELL, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and read over to her and she signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or kin to any of the parties to said cause, or any manner interested in the result thereof I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 17th day of February, 1956

Ruth Howell (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
DORRIS EMMORA SUMMERRIN	
vs.	Complainant
ROSS LEE SUMMERRIN	
	Respondent.
Oral Deposition	
Filed _____	, 195 _____
Recorded in _____	Register.
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_____	Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

DONNIE ELNORA SUMMERLIN

Complainant

VS.

ROSS LEE SUMMERLIN

Respondent

I, RUTH HOWELL

as Register and Commissioner

have called and caused to come before me Rosetta Travis

witness S named in the Requirement for Oral Examination, on the 7th day of February
1956, at the office of

in Bay Minette, Alabama, and having first sworn said Witness _____ to speak the
truth, the whole truth, and nothing but the truth, the said Rosetta Travis

doth depose and say as follows:

I am Rosetta Travis. I am over the age of 21 years and a resident of Baldwin County, Alabama. I know the Complainant Donnie Elnora Summerlin and Respondent, Ross Lee Summerlin. She is 21 years old and he is 19 years old. I know that they were married in December of 1953. They lived as husband and wife until October 10, 1955. On that day he threatened to strike her and he did hit her on the face and made bruises on her. She left him and has not lived with him since that day.

They have one child, Pamela Darlene, aged about one and one-half year. Ross Lee Summerlin is a fit and proper person to have custody of the child.

Rosetta Travis

ORAL EXAMINATION.

I, RUTH FOWELL, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and read over to her and she signed the same in the presence of myself _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 17th day of February, 1956.

Ruth Howell (L. S.)

NO. 3737 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

DONNIE EMINORA SUMMERLIN

vs. Complainant

ROSS LEE SUMMERLIN

Respondent.

Oral Deposition

Filed 2-18, 1956

Auislawacker, Register.
Recorded in _____

Record

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Register

DONNIE ELMORA SUMMERLIN
Complainant

VS

ROSS LEE SUMMERLIN
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA
IN EQUITY.

TO THE HONOR H. M. HALL JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA IN EQUITY:

Comes now Respondent, Ross Lee Summerlin, in his own proper person and in his own name and accepts services of a copy of Complainant's bill of complaint heretofore filed in this cause, and for answer to the said bill of complaint says:

1. That he admits to the allegations contained in paragraph one.
2. That he admits to the allegations in paragraph two.
3. That he denies each and every allegations in paragraph three and demands strict proof thereof.
4. That he admits to the allegations of paragraph four.

Respondent hereby waives all other or further notice and service to and upon him, consents to the appointment of a Commissioner to take depositions and testimony of any witnesses herein, and consents to the submission of this cause for final decree upon the testimony taken before such Commissioner.

Ross Lee Summerlin

STATE OF Alabama

COUNTY OF Baldwin

I, Wilson Hayes, a Notary Public in and for said County and State, hereby certify that Ross Lee Summerlin, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17th day of February, 1956.

Wilson Hayes

NO. 3737

ANSWER AND WAIVER

DONNIE ELIORA SUMMERLIN
Complainant

VS

ROSS LEE SUMMERLIN
Respondent

IN EQUITY

Filed 2-18-56
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DONNIE ELNORA SUMMERLIN
Complainant

IN THE CIRCUIT COURT OF

VS

BALDWIN COUNTY,

ALABAMA

ROSS LEE SUMMERLIN
Respondent

IN EQUITY.

TO THE HONORABLE H. M. HALL JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA IN EQUITY:

Your Complainant, Donnie Elnora Summerlin respectfully avers and shows unto your Honor:

I

That she is twenty-one years of age and is a bona fide resident of Baldwin County, Alabama, and has been such for more than one year next preceding the filling of this bill; that the Respondent, Ross Lee Summerlin, is nineteen years of age and is a bona fide resident citizen of Baldwin County, Alabama and has been for more than one year next preceding the filling of this bill;

II

That Complainant and Respondent were married on, to-wit, the 29th day of December 1953 in Lucedale, Mississippi and lived together as husband and wife, until the 10th day of October 1955.


III

That on, to-wit, the 10th of October 1955 the Respondent committed actual violence to her person attended with danger to her life or health, or that from his conduct there is a reasonable apprehension of such violence.

IV

Your Complainant further avers that there is one child, Pamela Darlene Summerlin, born of this marriage, age sixteen months and that Respondent, Ross Lee Summerlin is a fit and proper person to have custody of the said child.

Wherefore, the premises consider Complainant prays that the said Ross Lee Sumerlin be made party Respondent to this bill and that he be required to plead, answer or demur with in the time allowed by law and the practice of this Honorable Court; and Respondent prays that on a final hearing of this cause your Honor will grant unto Complainant a decree desolving and for ever borrowing the bonds of matrimony now exesting between Complainant and Respondent and that your Honor will grant such other further or different relief to which she may in equity in good conscience be entitled.


Solicitor for Complainant

no. 3737

BILL OF COMPLAINT

DONNIE ELMORA SUMMERLIN
Complainant

VS

ROSS LEE SUMMERLIN
Respondent

IN EQUITY

3737

Filed 2-16-56
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