

4687

1 LOWERRE and HOLLINGSWORTH
2 307 Main Street
3 El Segundo, California
4 Telephone: EAstgate 2-4101

FILED
Aug 4, 1959
Harold J. Ostly, County Clerk
By E. Robinson Deputy

5 Attorneys for Plaintiff

6
7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF LOS ANGELES

10 BETTY RUTH KEARLEY,
11 Plaintiff,
12 vs.
13 HAROLD WESLEY KEARLEY,
14 Defendant.

17420
No. RESL. D-11365

COMPLAINT FOR SUPPORT UNDER
THE RECIPROCAL ENFORCEMENT
OF SUPPORT LAW

15
16
17 Plaintiff alleges:

18 I

19 That plaintiff and defendant were married on or about
20 the 24th day of February, 1947 at San Francisco, California.

21 II

22 That plaintiff resides at 3135 Standford Avenue, Venice,
23 California, and that defendant resides at Winding Brook,
24 Montrose, Alabama.

25 III

26 That plaintiff is the mother and defendant is the father
27 of CAREN ELISE KEARLEY, a minor child, born the 20th day of
28 September, 1949, and resides at 3136 Standford Avenue, Venice,
29 California.

30 IV

31 That plaintiff is entitled to receive the sum of \$15.00
32 per week, as and for the support of said minor child, purusant to

Aug 4 59 350883 17430 LC Co E 195-0

1 an order of the Court issued on the 14th day of October, 1958
2 which provides that defendant pay to plaintiff as and for the
3 support of the minor child, the sum of \$15.00 per week,
4 commencing on October 21, 1958, and continuing weekly thereafter.

5 V

6 Said order has never been altered or changed.

7 VI

8 Said plaintiff is entitled to the payment of \$15.00 per
9 week under the provisions of California law and the Reciprocal
10 Enforcement for Support Law of this State.

11 VII

12 That defendant, on or about the 2nd day of December, 1958
13 and subsequently thereto has refused and neglected and still does
14 refuse and neglect to provide fair and reasonable support for
15 said minor child, pursuant to said Court order, according to his
16 means and earning capacity, and prior thereto missed four payments
17 at intermittent times; that the total amount which defendant has
18 contributed to said plaintiff for the support of said minor child
19 is \$0.00, since December 2, 1958.

20 VIII

21 That there remains due and owing from the defendant to the
22 plaintiff for support of said minor child the sum of \$585.00, to
23 date.

24 IX

25 That plaintiff does not know the exact amount of defendant's
26 income, but said plaintiff is informed and believes and therefore
27 alleges that said defendant is an able-bodied person engaged
28 in regular work.

29 X

30 That plaintiff is informed and believes and therefore alleges
31 that the defendant is within the jurisdiction of the Circuit Court,
32 Baldwin County, Bay Monette, Alabama, which state has enacted a law

1 substantially similar to the support law of this state.

2 WHEREFORE, plaintiff prays for the following orders:

3 1. Such an order of support directed to said defendant
4 as may be deemed to be fair and reasonable, ordering him to
5 support the minor child of the parties.

6 2. That the Probation Officer of Los Angeles County,
7 State of California, is the Trustee of the Superior Court of
8 Los Angeles County and the proper person to whom any and all
9 payments made hereunder should be sent, and that the address of
10 said Probation Officer is 205 South Broadway, Los Angeles,
11 California.

12 3. That the Clerk of this Court prepare certified copies
13 of the Complaint and Certificate and an authenticated copy of
14 the Reciprocal Enforcement of Support Law of the State of
15 California, and that he transmit said documents to the Circuit
16 Court, Baldwin County, Bay Monette, Alabama.

17 LOWERRE and HOLLINGSWORTH

18 By WILLIAM HOLLINGSWORTH

FILED
Aug 5, 1959
Harold J. Ostly, County Clerk
By Shirley S. andel Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

BETTY RUTH KEARLEY,

Plaintiff

vs.

HAROLD WESLEY KEARLEY,

Defendant

NO. RESL. 17430

FINDINGS, CERTIFICATE AND ORDER

Uniform Reciprocal Enforcement
of Support Act.

Upon motion of counsel for the plaintiffs, from the verified Complaint on file herein, the Court makes the following Findings, Certificate and Order:

That the verified Complaint sets forth facts from which the following may be determined: that the defendant, Harold Wesley Kearley owes a duty of support of Caren Blise Kearley

dependent herein named, according to the allegations set forth in said Complaint; that the Circuit Court

County of Baldwin, State of Alabama, may obtain jurisdiction over the defendant or his property; ~~that the plaintiff County of Los Angeles, State of California, between~~ and including

~~has furnished for the support of the aforesaid dependent the sum of \$ X; that during said time the defendant owed a duty of support of said dependent; that the Probation Officer of the County of Los Angeles, State of California, is the Trustee of the Superior Court of Los Angeles County and the proper person to whom any and all payments made hereunder should be sent; and that the address of said Probation Officer is 205 South Broadway, Los Angeles, California.~~

IT IS THEREFORE ORDERED THAT THE CLERK OF THIS COURT prepare three (3) copies of the Complaint, ~~the Affidavit for Order to Proceed Without Payment of Fees~~, this Certificate, and the Uniform Reciprocal Enforcement of Support Act of the State of California; and that he transmit said

documents, forthwith, to the clerk of the Circuit Court

County of Baldwin, State of Alabama,

located at Bay Minette

DATED: August 5, 1959

Roger Alton Pfaff
Judge of the Superior Court

FINDINGS, CERTIFICATE AND ORDER

CHAPTER 1290

An act to repeal Title 10a, comprising Sections 1650 to 1681, inclusive, of Part 3 of the Code of Civil Procedure, and to add a new Title 10a, comprising Sections 1650 to 1690, inclusive, to Part 3 of said code, providing a civil and criminal procedure for enforcement of the duties of support.

The people of the State of California do enact as follows:

SECTION 1. Title 10a, comprising Sections 1650 to 1681, inclusive, of Part 3 of the Code of Civil Procedure, is repealed.

SEC. 2. Title 10a, comprising Sections 1650 to 1690, inclusive, is added to Part 3 of said code, to read:

TITLE 10a. UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT

CHAPTER 1. GENERAL PROVISIONS

1650. This title is known and may be cited as the Uniform Reciprocal Enforcement of Support Act.

1651. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

1652. The purposes of this title are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

1653. As used in this title unless the context requires otherwise,

(1) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

(4) "Court" means the superior court and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.

(5) "Law" includes both common and statute law.

(6) "Duty of support" includes any duty of support imposed or imposed by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance or otherwise.

(7) "Obligor" means any person owing a duty of support.

(8) "Obligee" means any person to whom a duty of support is owed.

(9) "Prosecuting official" means the district attorney, city attorney, or city prosecutor charged with the prosecution of criminal offenses in the city or other area in which the obligor is alleged to be present.

1654. The remedies provided in this title are in addition to and not in substitution for any other remedies.

1655. Duties of support arising under the law of this State, when applicable under Section 1670, bind the obligor, present in this State, regardless of the presence or residence of the obligee.

CHAPTER 2. CRIMINAL ENFORCEMENT

1660. The Governor of this State (1) may demand from the Governor of any other state the surrender of any person found in such other state who is charged in this State with the crime of failing to provide for the support of any person in this State and (2) may surrender on demand by the Governor of any other state any person found in this State who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or other state.

1661. Any obligor contemplated by Section 1660, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for desertion or nonsupport entered in the courts of this State during the period of such compliance.

CHAPTER 3. CIVIL ENFORCEMENT

1670. Duties of support enforceable under this title are those imposed or imposed under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee.

1671. Whenever the State or a political subdivision thereof furnishes support to an obligee, it has the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made and of obtaining continuing support.

1672. All duties of support are enforceable by action irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the superior court.

1673. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his fingerprints, or social security number.

1674. The prosecuting official may, upon the request of the court, represent the plaintiff in any proceeding under this title.

1675. A complaint on behalf of a minor obligee may be brought by a person having legal custody of the minor without appointment as guardian ad litem.

1676. If the court of this State acting as an initiating state finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, it shall so certify and shall cause three copies of (1) the complaint, (2) its certificate, and (3) this act to be transmitted to the court in the responding state. If the name and address of such court are unknown and the responding state has an information agency comparable to that established in the initiating state it shall cause such copies to be transmitted to the state information agency or other proper official of the responding state, with a request that it forward them to the proper court, and that the court of the responding state acknowledge their receipt to the court of the initiating state.

1677. A court of this State acting either as an initiating or responding state may in its discretion direct that any part of or all fees and costs incurred in this State shall be waived, including without limitation by enumeration, fees for filing, service of process, seizure of property, and stenographic service of both plaintiff and defendant, or either. Where the action is brought by or through the State or an agency thereof, there shall be no filing fee, library fee, or reporter's fee.

1678. When the court of this State, acting either as an initiating or responding state, has reason to believe that the defendant may flee the jurisdiction it may (a) as an initiating state request in its certificate that the court of the responding state obtain the body of the defendant by appropriate process if that be permissible under the law of the responding state; or (b) as a responding state, obtain the body of the defendant by appropriate process.

1679. The Attorney General is hereby designated as the state information agency under this title, and it shall be its duty:

(1) To compile a list of the courts and their addresses in this State having jurisdiction under this title and transmit the same to the state information agency of every other state which has adopted this or a substantially similar law.

(2) To maintain a register of such lists received from other states and to transmit copies thereof as soon as possible after receipt to every court in this State having jurisdiction under this title.

1680. When the court of this State, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the prosecuting official, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction.

1681. If a court of this State, acting as a responding state, is unable to obtain jurisdiction of the defendant or his property due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating state, shall on its own initiative use all means at its disposal to trace the defendant or his property, and shall hold the case pending the receipt of more accurate information or an amended complaint from the court in the initiating state.

1682. The court shall conduct proceedings under this title in the manner prescribed by law for an action for the enforcement of the type of duty of support claimed.

1683. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

1684. The court of this State when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or for reimbursement therefor.

1685. In addition to the foregoing powers, the court of this State when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant.

(b) To require the defendant to make payments at specified intervals to the probation officer of the county or the obligee and to report personally to such probation officer at such times as may be deemed necessary.

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

1686. The court of this State when acting as a responding state shall have the following duties which may be carried out through the probation officer of the county:

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

1687. The court of this State when acting as an initiating state shall have the duty which may be carried out through the probation officer of the county to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

1688. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this title. Husband and wife are competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

1689. Any order of support issued by a court of this State when acting as a responding state shall not supersede any previous order of support issued in a divorce or separate maintenance action, but the amounts for a particular period paid pursuant to either order shall be credited against amounts accruing or accrued for the same period under both.

1690. Participation in any proceedings under this title shall not confer upon any court jurisdiction of any of the parties thereto in any other proceeding.

SEC. 3. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

05271 9-53 2M SFC

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 4687

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon HAROLD WESLEY KEARLEY

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

HAROLD WESLEY KEARLEY, Defendant

by BETTY RUTH KEARLEY, Plaintiff

Witness my hand this 29 day of August 1959

Alice J. Duck, Clerk

No. 4687

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

~~SEE~~

BETTY RUTH KEARLEY

Plaintiffs

vs.

HAROLD WESLEY KEARLEY

Defendants

Summons and Complaint

Filed August 29, 1959

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

8/31 1959

_____, Sheriff

I have executed this summons

this 9/7 1959

by leaving a copy with

Harold Wesley Kearley

Sheriff claims 55 miles at 550

Ten Cents per mile Total \$ 55.00

TOTAL \$ 55.00

TOTAL \$ 55.00

TOTAL \$ 55.00

TOTAL \$ 55.00

Taylor Wilkins Sheriff

Edleigh Steadman Deputy Sheriff

Montrose, Ala

BETTY RUTH KEARLEY,	I	IN THE CIRCUIT COURT OF
Plaintiff	I	BALDWIN COUNTY, ALABAMA,
vs.	I	
HAROLD WESLEY KEARLEY,	I	CASE NO.4,687
Defendant	I	

Now comes HAROLD WESLEY KEARLEY, Defendant in the above-entitled matter, and for answer to the Complaint For Support Under The Reciprocal Enforcement of Support Law heretofore filed against him, says as follows:

1. Defendant admits the allegations contained in Paragraph I of the Bill of Complaint.
2. For answer to Paragraph II, Defendant admits that the Plaintiff resides at 3136 Stanford Avenue, Venice, California and that he is temporarily residing at Winding Brook, Montrose, Alabama.
3. Defendant admits the allegations as contained in Paragraph III of the Bill of Complaint.
4. For answer to Paragraph IV, Defendant admits that an order was made and entered by the Court on the 14th day of October, 1958, providing that Defendant pay to Plaintiff as and for the support of the minor child, the sum of \$15.00 per week, commencing on October 1, 1958, and continuing weekly thereafter.
5. Defendant is uninformed as to the allegations of Paragraph V and therefore denies the same and demands strict proof thereof.
6. Defendant is unadvised as to the allegations of Paragraph VI and therefore denies the same and demands strict proof thereof.
7. The Defendant denies the allegations contained in Paragraph VII of the Bill of Complaint. He denies that on or about the 2nd day of December, 1958 and subsequent thereto he has refused and neglected and still does refuse and neglect to provide fair and reasonable support for said minor child. On the contrary, he states that he has never refused to make any such payments, but avers that prior to December 2, 1958, the Plaintiff

caused an attachment of most of his property, including his automobile and wages, and such resulted in the termination of his employment and the means with which to make such payments. Plaintiff has harassed the Defendant to such an extent that it was necessary for him to leave his home and to go elsewhere to seek a place in which he could live with peace of mind and to find employment. In February, 1959, Defendant moved to Montrose, Alabama, his temporary place of residence, to live with his sister and mother. For the past several years, the Defendant has been in a state of ill health and in April, 1959, was forced to undergo an operation. Upon his discharge from the hospital and by the doctor, he sought employment with Alabama Dry Dock and Shipbuilding Company, at which place he has been working on a temporary basis, which began on or about the 1st day of June, 1959. Incident to his inability to work and his ill health, he has incurred numerous outstanding debts and obligations. However, he has on several occasions forwarded small sums of money to his minor child, CAREN ELISE KEARLEY.

8. Defendant is uninformed and unadvised as to the allegations contained in Paragraph VIII and therefore denies the same and demands strict proof thereof.

9. With respect to Paragraph IX, Defendant denies that he is an able-bodied person and that he is engaged in regular work. As stated above, Defendant was and still is in a state of ill health and had to undergo an operation on his stomach. He has continued to suffer ill effects from said condition and has been told that it is very possible that he will have to undergo another operation. Since coming into the County of Baldwin, State of Alabama, the Defendant was unemployed until, to-wit, the 1st day of June, 1959, at which time he went to work for Alabama Dry Dock and Shipbuilding Company, Mobile, Alabama. Such employment is on a temporary basis and he is subject to layoff at any given time. From the earnings received by Defendant, he has been caused to spend large sums for doctor's bills, hospital bills,

drugs and other necessary expenses, which are in addition to his normal everyday needs for food, clothing, room, transportation, insurance and miscellaneous items.

10. Defendant is uninformed and unadvised as to the allegations contained in Paragraph X and therefore denies same and demands strict proof thereof.

And for further answer to the Bill of Complaint, Defendant further avers and shows unto this Honorable Court that since the rendition of said court order of October 14, 1958, aforesaid, his circumstances and conditions have so materially changed that he cannot maintain the regular remittance of so great an allowance, said change being occasioned by a number of circumstances, including the Defendant's state of ill health, the increased burden of attempting to pay off a tremendous and mounting indebtedness attributable not only to Respondent's day to day living, but also to the reduction of financial obligations occasioned by his said operation, with incidental hospital, doctor's and drug bills; all of which has placed Defendant in a position of such great indebtedness that he stands immediately jeopardized and hazarded in the continuation of his employment.

Wherefore, Defendant prays that this Honorable Court will take this instrument as his answer to the Bill of Complaint and also as his motion for modification of the Court order of October 14, 1958, and that upon a hearing of this said cause, this Honorable Court will be pleased to make, enter and find the Respondent's present condition has so materially changed since the rendition of the above said order and decree, that the payments aforesaid should and must be reduced at least until such time as Respondent is financially in a position to make whatever larger payments as may hereafter be required by this Honorable Court; Respondent prays for such other, further and different relief upon said motion as to this Court may appear mete and proper.


HAROLD WESLEY KEARLEY

HOLBERG, TULLY, HODNETTE & MOBLEY
Solicitors for Defendant

By John W. Mobley
Member Appearing

STATE OF ALABAMA)

COUNTY OF MOBILE)

Personally appear personally before me, the undersigned authority in and for said State and County, HAROLD WESLEY KEARLEY, who being by me first duly sworn, doth depose and say that he is the Defendant and the Petitioner in the foregoing Answer and Motion for Modification, that he has read the allegations contained therein and knows that the facts as stated are true and correct.

Harold Wesley Kearley
HAROLD WESLEY KEARLEY

Subscribed and sworn to before me
on this 30th day of September, 1959.

Angela Hask
Notary Public, Mobile County, Alabama.

4687

FILED

OCT 1 1959

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Prg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4687

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

HAROLD WESLEY KEARLEY

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

HAROLD WESLEY KEARLEY

, Defendant

by

MEME

BETTY RUTH KEARLEY

, Plaintiff

Witness my hand this 29 day of August 1959

, Clerk

No. 4687

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

~~BE~~

BETTY RUTH KEARLEY

Plaintiffs

vs.

HAROLD WESLEY KEARLEY

Defendants

Summons and Complaint

Filed August 29, 1939

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19

, Sheriff

I have executed this summons

this 19

by leaving a copy with

Sheriff

Deputy Sheriff

1 LOWERRE and HOLLINGSWORTH
2 307 Main Street
3 El Segundo, California
4 Telephone: Eastgate 2-4101

5 Attorneys for Plaintiff

6 THIS CERTIFIED COPY IS GIVEN FREE OF CHARGE
7 PURSUANT TO LAW SOLELY UPON THE CONDI-
8 TION THAT IT IS TO BE USED FOR OFFICIAL
9 BUSINESS AND/OR TO DETERMINE ELIGIBILITY
10 FOR VETERANS BENEFITS.

THE DOCUMENT TO WHICH THIS CERTIFICATE IS AT-
TACHED IS A FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

SAME HAVING BEEN FILED Aug 4, 1959

ATTEST August 21, 1959

HAROLD J. OSTLY County Clerk and Clerk of the Superior
Court of the State of California, in and
for the County of Los Angeles.

BY B. Chancy DEPUTY

11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12
13 IN AND FOR THE COUNTY OF LOS ANGELES

14 BETTY RUTH KEARLEY,

15 Plaintiff,

16 vs

17 HAROLD WESLEY KEARLEY,

18 Defendant.

RESL
No.

COMPLAINT FOR SUPPORT UNDER
THE RECIPROCAL ENFORCEMENT
OF SUPPORT LAW

19 Plaintiff alleges:

20 I

21 That plaintiff and defendant were married on or about
22 the 24th day of February, 1947 at San Francisco, California.

23 II

24 That plaintiff resides at 3136 Standford Avenue, Venice,
25 California and that defendant resides at Winding Brook, Montrose,
26 Alabama.

27 III

28 That plaintiff is the mother and defendant is the father
29 of CAREN ELISE KEARLEY, a minor child, born the 20th day of
September, 1949, and resides at 3136 Standford Avenue, Venice,
California.

AUG 5 1959

19.50
17430
352853

1 an order of the Court issued on the 14th day of October, 1958
2 which provides that defendant pay to plaintiff as and for the
3 support of the minor child, the sum of \$15.00 per week, commencing
4 on October 21, 1958, and continuing weekly thereafter.
5

6 V

7 Said order has never been altered or changed.

8 VI

9 Said plaintiff is entitled to the payment of \$15.00 per
10 week under the provisions of California law and the Reciprocal
11 Enforcement for Support Law of this State.

12 VII

13 That defendant, on or about the 2nd day of December, 1958
14 and subsequently thereto has refused and neglected and still does
15 refuse and neglect to provide fair and reasonable support for
16 said minor child, pursuant to said Court order, according to his
17 means and earning capacity, and prior thereto missed four payments
18 at intermittent times; that the total amount which defendant has
19 contributed to said plaintiff for the support of said minor child
20 is \$0.00, since December 2, 1958.

21 VIII

22 That there remains due and owing from the defendant to the
23 plaintiff for support of said minor child the sum of \$585.00, to
24 date.

25 IX

26 That plaintiff does not know the exact amount of defendant's
27 income, but said plaintiff is informed and believes and therefore
28 alleges that said defendant is an able-bodied person engaged in
29 regular work.

30 X

31 That plaintiff is informed and believes and therefore alleges
32 that the defendant is within the jurisdiction of the Circuit Court,
Baldwin County, Bay Monette, Alabama, which state has enacted a law

1 substantially similar to the support law of this state.

2 WHEREFORE, plaintiff prays for the following orders:

3 1. Such an order of support directed to said defendant
4 as may be deemed to be fair and reasonable, ordering him to
5 support the minor child of the parties.

6 2. That the Probation Officer of Los Angeles County,
7 State of California, is the Trustee of the Superior Court of
8 Los Angeles County and the proper person to whom any and all
9 payments made hereunder should be sent, and that the address of said
10 Probation Officer is 205 South Broadway, Los Angeles, California.

11 3. That the Clerk of this Court prepare certified
12 copies of the Complaint and Certificate and an authenticated copy
13 of the Reciprocal Enforcement of Support Law of the State of
14 California, and that he transmit said documents to the Circuit
15 Court, Baldwin County, Bay Minette, Alabama.

16
17 LOWERRE and HOLLINGSWORTH

18 BY WILLIAM HOLLINGSWORTH
19
20
21
22
23
24
25
26
27
28
29
30
31
32

THIS CERTIFIED COPY IS GIVEN FREE OF CHARGE
PURSUANT TO LAW SOLELY UPON THE CONDI-
TION THAT IT IS TO BE USED FOR OFFICIAL
BUSINESS AND/OR TO DETERMINE ELIGIBILITY
FOR VETERANS BENEFITS.

THE DOCUMENT TO WHICH THIS CERTIFICATE IS AT-
TACHED IS A FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL ON-FILE AND OF RECORD IN MY OFFICE.

SAME HAVING BEEN FILED August 5, 1959

ATTEST August 21, 1959

HAROLD I. OSTY County Clerk and Clerk of The Superior
Court of the State of California, in and
for the County of Los Angeles.

BY B. Chauley DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

BETTY RUTH KEARLEY,

Plaintiff

vs.

HAROLD WESLEY KEARLEY,

Defendant

NO. RESL 17430

FINDINGS, CERTIFICATE AND ORDER

Uniform Reciprocal Enforcement
of Support Act.

Upon motion of counsel for the plaintiffs, from the verified Complaint on file herein, the Court makes
the following Findings, Certificate and Order:

That the verified Complaint sets forth facts from which the following may be determined: that the
defendant, Harold Wesley Kearley owes a duty
of support of Caren Elise Kearley

dependent herein named, according to the allegations set forth in said Complaint; that the
Circuit Court

County of Baldwin, State of Alabama,
may obtain jurisdiction over the defendant or his property; ~~that the plaintiff County of Los Angeles~~
~~State of California, between x~~ x, to and including

~~has furnished for the support of the aforesaid dependent x the sum of \$ x~~ x ~~that~~
~~during said time the defendant owed a duty of support of said dependent~~; that the Probation Officer
of the County of Los Angeles, State of California, is the Trustee of the Superior Court of Los Angeles
County and the proper person to whom any and all payments made hereunder should be sent; and
that the address of said Probation Officer is 205 South Broadway, Los Angeles, California.

IT IS THEREFORE ORDERED THAT THE CLERK OF THIS COURT prepare three (3) copies of
the Complaint, ~~the Affidavit for Order to Proceed Without Payment of Fees~~, this Certificate, and the
Uniform Reciprocal Enforcement of Support Act of the State of California; and that he transmit said

documents, forthwith, to the clerk of the Circuit Court

County of Baldwin, State of Alabama,
located at Bay Minette

DATED: August 5, 1959

Roger Alton Pfaff
Judge of the Superior Court

FINDINGS, CERTIFICATE AND ORDER

CHAPTER 1290

An act to repeal Title 10a, comprising Sections 1650 to 1681, inclusive, of Part 3 of the Code of Civil Procedure, and to add a new Title 10a, comprising Sections 1650 to 1690, inclusive, to Part 3 of said code, providing a civil and criminal procedure for enforcement of the duties of support.

The people of the State of California do enact as follows:

SECTION 1. Title 10a, comprising Sections 1650 to 1681, inclusive, of Part 3 of the Code of Civil Procedure, is repealed.

SEC. 2. Title 10a, comprising Sections 1650 to 1690, inclusive, is added to Part 3 of said code, to read:

TITLE 10a. UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT

CHAPTER 1. GENERAL PROVISIONS

1650. This title is known and may be cited as the Uniform Reciprocal Enforcement of Support Act.

1651. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

1652. The purposes of this title are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

1653. As used in this title unless the context requires otherwise, (1) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

(4) "Court" means the superior court and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.

(5) "Law" includes both common and statute law.

(6) "Duty of support" includes any duty of support imposed or imposed by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance or otherwise.

(7) "Obligor" means any person owing a duty of support.

(8) "Obligee" means any person to whom a duty of support is owed.

(9) "Prosecuting official" means the district attorney, city attorney, or city prosecutor charged with the prosecution of criminal offenses in the city or other area in which the obligor is alleged to be present.

1654. The remedies provided in this title are in addition to and not in substitution for any other remedies.

1655. Duties of support arising under the law of this State, when applicable under Section 1670, bind the obligor, present in this State, regardless of the presence or residence of the obligee.

CHAPTER 2. CRIMINAL ENFORCEMENT

1660. The Governor of this State (1) may demand from the Governor of any other state the surrender of any person found in such other state who is charged in this State with the crime of failing to provide for the support of any person in this State and (2) may surrender on demand by the Governor of any other state any person found in this State who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or other state.

1661. Any obligor contemplated by Section 1660, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for desertion or nonsupport entered in the courts of this State during the period of such compliance.

CHAPTER 3. CIVIL ENFORCEMENT

1670. Duties of support enforceable under this title are those imposed or imposed under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee.

1671. Whenever the State or a political subdivision thereof furnishes support to an obligee, it has the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made and of obtaining continuing support.

1672. All duties of support are enforceable by action irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the superior court.

1673. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his fingerprints, or social security number.

1674. The prosecuting official may, upon the request of the court, represent the plaintiff in any proceeding under this title.

1675. A complaint on behalf of a minor obligee may be brought by a person having legal custody of the minor without appointment as guardian ad litem.

1676. If the court of this State acting as an initiating state finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, it shall so certify and shall cause three copies of (1) the complaint, (2) its certificate, and (3) this act to be transmitted to the court in the responding state. If the name and address of such court are unknown and the responding state has an information agency comparable to that established in the initiating state it shall cause such copies to be transmitted to the state information agency or other proper official of the responding state, with a request that it forward them to the proper court, and that the court of the responding state acknowledge their receipt to the court of the initiating state.

1677. A court of this State acting either as an initiating or responding state may in its discretion direct that any part of or all fees and costs incurred in this State shall be waived, including without limitation by enumeration, fees for filing, service of process, seizure of property, and stenographic service of both plaintiff and defendant, or either. Where the action is brought by or through the State or an agency thereof, there shall be no filing fee, library fee, or reporter's fee.

1678. When the court of this State, acting either as an initiating or responding state, has reason to believe that the defendant may flee the jurisdiction it may (a) as an initiating state request in its certificate that the court of the responding state obtain the body of the defendant by appropriate process if that be permissible under the law of the responding state; or (b) as a responding state, obtain the body of the defendant by appropriate process.

1679. The Attorney General is hereby designated as the state information agency under this title, and it shall be its duty:

(1) To compile a list of the courts and their addresses in this State having jurisdiction under this title and transmit the same to the state information agency of every other state which has adopted this or a substantially similar law.

(2) To maintain a register of such lists received from other states and to transmit copies thereof as soon as possible after receipt to every court in this State having jurisdiction under this title.

1680. When the court of this State, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the prosecuting official, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction.

1681. If a court of this State, acting as a responding state, is unable to obtain jurisdiction of the defendant or his property due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating state, shall on its own initiative use all means at its disposal to trace the defendant or his property, and shall hold the case pending the receipt of more accurate information or an amended complaint from the court in the initiating state.

1682. The court shall conduct proceedings under this title in the manner prescribed by law for an action for the enforcement of the type of duty of support claimed.

1683. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

1684. The court of this State when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or for reimbursement therefor.

1685. In addition to the foregoing powers, the court of this State when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant.

(b) To require the defendant to make payments at specified intervals to the probation officer of the county or the obligee and to report personally to such probation officer at such times as may be deemed necessary.

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

1686. The court of this State when acting as a responding state shall have the following duties which may be carried out through the probation officer of the county:

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

1687. The court of this State when acting as an initiating state shall have the duty which may be carried out through the probation officer of the county to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

1688. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this title. Husband and wife are competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

1689. Any order of support issued by a court of this State when acting as a responding state shall not supersede any previous order of support issued in a divorce or separate maintenance action, but the amounts for a particular period paid pursuant to either order shall be credited against amounts accruing or accrued for the same period under both.

1690. Participation in any proceedings under this title shall not confer upon any court jurisdiction of any of the parties thereto in any other proceeding.

SEC. 3. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

85971 9-83 2M SFO

HAROLD J. OSTLY
COUNTY CLERK

COUNTY OF LOS ANGELES
COUNTY CLERK AND CLERK OF THE SUPERIOR COURT

W. G. SHARP
CHIEF DEPUTY

~~REG. MAIL - OF RECORDS -~~

LOS ANGELES

MAILING ADDRESS: P.O. BOX 151
LOS ANGELES 53
CALIFORNIA

August 25, 1959

Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama

No. Resl. 17430
Betty Ruth Kearley
vs Harold Wesley Kearley

Dear Sir:

Pursuant to an order of the court, we are forwarding herewith certified copies of the Complaint, and the Order of this court certifying that the defendant owes a duty of support.

We are also forwarding two plain copies of the above mentioned documents, and three copies of the Uniform Reciprocal Enforcement of Support Act of this state.

When an Order is made in your court, please forward copies in duplicate.


These documents are being forwarded pursuant to the Uniform Reciprocal Enforcement of Support Act.

Please acknowledge receipt of the documents on the enclosed copy of this letter.

Very truly yours,

HAROLD J. OSTLY, County Clerk

By


PAUL EVANS, Assistant Chief

~~D. K. BYRNE, Assistant Chief~~
Civil Filing/Court Clerk Division

DKB: 11
enc.

LAW OFFICES
HOLBERG, TULLY, HODNETTE AND MOBLEY

1107 MILNER BUILDING

P.O. BOX 47

MOBILE, ALABAMA

RALPH G. HOLBERG, JR.

ALBERT J. TULLY

ROBERT E. HODNETTE, JR.

JOHN W. MOBLEY

HERBERT P. FEIDELMAN, JR.

November
9th
1959

Hon. James A. Hendrix
Circuit Solicitor
Baldwin County Court House
Bay Minette, Alabama

Re: Betty Ruth Kearley vs. Harold Wesley Kearley
Circuit Court, Case No. 4687

Dear Jim:

First, I wish to thank you and Judge Hall for the courtesies shown me this past Thursday morning, November 5, 1959.

You will recall that I was requested to draft the Order Granting Motion To Modify, reducing said monthly installment payments from \$15.00 per week to \$7.50 per week. Therefore, in accordance with such request, we hand you herewith an original and three (3) copies of such motion. We hope that you will find same in order and ask that you please return to us one copy of same upon its proper execution.

With highest personal regards, I remain

Very truly yours,

HOLBERG, TULLY, HODNETTE & MOBLEY

By


John W. Mobley

J
W
M
/
p
a
m

P.S. I have been withholding the mailing of this letter, together with the above order granting motion to modify, pending the receipt of the doctor's report. I should be in receipt of such report within the next two or three days and will promptly forward same, together with remittance to cover the first two payments. Thanks.

Encl.

John

LAW OFFICES
HOLBERG, TULLY, HODNETTE AND MOBLEY
1107 MILNER BUILDING
P.O. BOX 47
MOBILE, ALABAMA

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
ROBERT E. HODNETTE, JR.
JOHN W. MOBLEY
HERBERT P. FEIDELMAN, JR.

September
30th
1959

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

Re: Betty Ruth Kearley vs. Harold Wesley Kearley

Dear Mrs. Duck:

We hand you herewith Answer and Motion to Modify on behalf of the Defendant, Harold Wesley Kearley, and respectfully request that same be filed in your Honorable Court in the above-entitled cause.

We hand you herewith original and two (2) copies of such answer and motion, the original of which is for the Court file and the copies to be furnished to the plaintiff, Betty Ruth Kearley, or her attorney, and a copy for your Circuit Solicitor.

Thanking you for your services in attending to this matter for us and with kindest regards, we remain

Very truly yours,

HOLBERG, TULLY, HODNETTE & MOBLEY

By


John W. Mobley

J
W
M
/
P
m

Encl.

BETTY RUTH KEARLEY,)	IN THE CIRCUIT COURT
Plaintiff,)	OF
vs.)	BALDWIN COUNTY, ALABAMA
HAROLD WESLEY KEARLEY,)	
Defendant)	CASE NO. 4687

ORDER GRANTING MOTION TO MODIFY

This cause coming on to be heard this day on the Complaint For Support Under The Reciprocal Enforcement of Support Law as filed by the above Plaintiff, and on the Answer and Motion to Modify as filed by the above Defendant, said Plaintiff being represented by the Solicitor of Baldwin County, Alabama and said Defendant being present and represented by Counsel, and from the testimony given in the open court and showing the changed conditions of the Defendant, it appears to the court that said Motion to Modify should be granted, and, upon consideration thereof, it is ORDERED, ADJUDGED and DECREED by the Court that the Motion to Modify the Decree of the Superior Court of the State of California in and for the County of Los Angeles, rendered on the 14th day of October, 1958 be and hereby is granted and said Decree be and hereby is modified as to support payments by reducing said support payments from \$15.00 per week to \$7.50 per week, the first payment commencing on the 9th day of November, 1959, and that said sum shall be paid through the office of the Circuit Court of Baldwin County, Bay Minette, Alabama.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs incurred in this proceeding be taxed against the Defendant for which let execution issue.

Dated November 5, 1959.



CIRCUIT JUDGE


BETTY RUTH KEARLEY,)	IN THE CIRCUIT COURT
Plaintiff,)	OF
vs.)	BALDWIN COUNTY, ALABAMA
HAROLD WESLEY KEARLEY,)	
Defendant)	CASE NO. 4687

ORDER GRANTING MOTION TO MODIFY

This cause coming on to be heard this day on the Complaint For Support Under The Reciprocal Enforcement of Support Law as filed by the above Plaintiff, and on the Answer and Motion to Modify as filed by the above Defendant, said Plaintiff being represented by the Solicitor of Baldwin County, Alabama and said Defendant being present and represented by Counsel, and from the testimony given in the open court and showing the changed conditions of the Defendant, it appears to the court that said Motion to Modify should be granted, and, upon consideration thereof, it is ORDERED, ADJUDGED and DECREED by the Court that the Motion to Modify the Decree of the Superior Court of the State of California in and for the County of Los Angeles, rendered on the 14th day of October, 1958 be and hereby is granted and said Decree be and hereby is modified as to support payments by reducing said support payments from \$15.00 per week to \$7.50 per week, the first payment commencing on the 9th day of November, 1959, and that said sum shall be paid through the office of the Circuit Court of Baldwin County, Bay Minette, Alabama.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs incurred in this proceeding be taxed against the Defendant for which let execution issue.

Dated November 5, 1959.


CIRCUIT JUDGE

DIAGNOSTIC AND MEDICAL CLINIC
1217 GOVERNMENT STREET
MOBILE 20, ALABAMA

INTERNAL MEDICINE
GRADY O. SEGREST, M. D.
JOHN E. MOSS, M. D.
WM. J. ATKINSON, JR., M. D.
HENRY M. GEWIN, M. D.

November 9, 1959

DIAGNOSTIC RADIOLOGY
M. A. LAUTER, M. D.
LOUIS RAIDER, M. D.
JULIAN S. LEWIS, M. D.

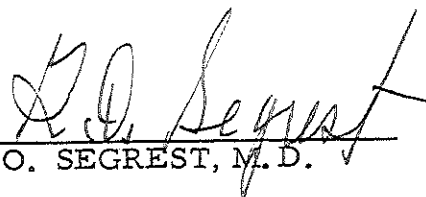
TO WHOM IT MAY CONCERN:

Re: Mr. H. W. Kearley, Age 53

This is to certify that Mr. H. W. Kearley is a very sick and disabled man.

He was operated in March, 1959, at which time his stomach was three-fourths resected due to a long standing peptic ulcer, which had become malignant. Malignancy of the stomach has only very slight possibilities of being cured by surgery or any other known means of therapy. I am expecting Mr. Kearley to become more disabled as time goes on.

As I understand it he is working part-time at the present time, a few hours weekly at a very light job for which he receives very little compensation. In my opinion Mr. Kearley is not able even at this time to support himself.


G. O. SEGREST, M. D.

GOS/rs

LAW OFFICES
HOLBERG, TULLY, HODNETTE AND MOBLEY

1107 MILNER BUILDING

P.O. BOX 47

MOBILE, ALABAMA

RALPH G. HOLBERG, JR.

ALBERT J. TULLY

ROBERT E. HODNETTE, JR.

JOHN W. MOBLEY

HERBERT P. FEIGELMAN, JR.

November
16th
1959

Hon. James A. Hendrix
Circuit Solicitor
Baldwin County Court House
Bay Minette, Alabama

Re: Betty Ruth Kearley vs. Harold Wesley Kearley
Circuit Court, Case No. 4687

Dear Jim:

This will supplement my letter to you of November 9, 1959 with respect to the above-entitled matter.

We are this date in receipt of letter from Dr. G. O. Segrest, which report contains the facts surrounding the physical condition of Harold Wesley Kearley and which evidence was given in open Court on Thursday, November 5, 1959. We are enclosing herein the original and two (2) Thermo Fax copies of such report for your information and further use.

Jim, we are also enclosing Postal Money Order for \$15.00, which covers the payments due for November 9 and November 16, 1959. I have instructed Mr. Kearley to forward all further remittances to Alice J. Duck, Clerk, Circuit Court of Baldwin County, Alabama. If such is incorrect, please let me know, and we shall follow your instructions. Jim, the report of Dr. Segrest indicates that Mr. Kearley's condition is much worse than we had first thought and should he not be able to continue his part time work and make the remittances as ordered by the Decree of Modification, we shall promptly file the appropriate motion so that the Court may be cognizant of his present condition and ability to pay.

We wish to thank you, Judge Hall and the Court for your courtesies shown to us in this matter.

With highest personal regards, I remain

HOLBERG, TULLY, HODNETTE & MOBLEY

By


John W. Mobley

JWM/pam

Encl.

LAW OFFICES
HOLBERG, TULLY, HODNETTE AND MOBLEY

1107 MILNER BUILDING

P.O. BOX 47

MOBILE, ALABAMA

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
ROBERT E. HODNETTE, JR.
JOHN W. MOBLEY
HERBERT P. FEIBELMAN, JR.

March
15th
1960

Hon. James A. Hendrix
Circuit Solicitor
Baldwin County Court House
Bay Minette, Alabama

Re: Betty Ruth Kearley vs. Harold Wesley Kearley
Circuit Court, Case No. 4687

Dear Jim:

This will supplement my letter to you of November 16, 1959 with respect to the above-entitled matter.

Jim, we regret to advise that Mr. Harold W. Kearley has again taken ill and is not able to forward the \$7.50 weekly remittances as ordered by the Court under its Decree of November 5, 1959. Mr. Kearley has been out of work since February 8, 1960 and is now in the Mobile Infirmary, Mobile, Alabama. He is being attended by Dr. G. O. Segrest, Dr. Guy Oswalt and Dr. Henry Gewin, and is scheduled for another operation on Tuesday afternoon, March 15, 1960.

We are writing this letter to advise the Court of the above circumstances and to further state that as soon as he returns to his employment, he shall promptly forward remittances. His condition is quite serious and we certainly hope that he will be able to return to work within the near future.

Thanking you in advance for your courtesies and co-operation in this matter, we remain

Very truly yours,

HOLBERG, TULLY, HODNETTE & MOBLEY

By 
John W. Mobley

JWM/pam

LAW OFFICES
HOLBERG, TULLY, HODNETTE AND MOBLEY

1107 MILNER BUILDING

P.O. BOX 47

MOBILE, ALABAMA

RALPH G. HOLBERG, JR.

ALBERT J. TULLY

ROBERT E. HODNETTE, JR.

JOHN W. MOBLEY

HERBERT P. FEISELMAN, JR.

April
29th
1960

Hon. James A. Hendrix
Circuit Solicitor
Baldwin County Court House
Bay Minette, Alabama

Re: Betty Ruth Kearley vs. Harold Wesley Kearley
Circuit Court, Case No. 4687

Dear Jim:

This will supplement our letter to you of March 15, 1960 concerning the above-entitled matter.

Jim, we regret to advise that Mr. Harold W. Kearley departed this life on Thursday, April 28, 1960. We have also informed Mrs. Betty Ruth Kearley of Mr. Kearley's death and we presume that she and her attorney will close their file with respect to this pending matter.

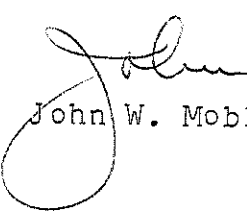
Jim, we also wish to express our appreciation to both you and Judge Hall for your courtesies and services shown us in this matter.

With kindest regards, we remain

Very truly yours;

HOLBERG, TULLY, HODNETTE & MOBLEY

By


John W. Mobley

J
W
M
/
P
a
m

BETTY RUTH KEARLEY
Complainant

Vs.

HAROLD WESLEY KEARLEY
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 14687

D E C R E E

It appearing to the Court that the above cause is inactive, 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.

July 13, 1967

J. J. J. J. J.
JUDGE