FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
AREA CODE 205 — PHONE 943-2201
FOLEY, ALABAMA 36535

11 September 1970

Hon. Telfair Mashburn
Bay Minette, Alabama 36507

Dear Hon. Mashburn:

In the case of Bessie A. Roberts, No. 8951, set for September 18, 1970, I am withdrawing from the case. I discussed this with Mrs. Bessie A. Roberts whom I have known for 20 years. Her husband died 7 or 8 years ago. Back in October shortly after my heart surgery, she came to my office on other business and as she was leaving she said the sheriff had served her with a certain paper. I looked at it and told her it should be answered promptly and that although Pensacola attorneys filed a claim, no doubt, they would obtain local cancel. I suggested to her that she should consult a lawyer of her choice but she has been very neglectful. Last August, she and her daughter prepared a statement when it was fresh on their mind which is all part of the file which I returned to them. They promised me diligently that they would obtain other local cancel without delay and that I was withdrawing from the case.

Cordially yours,

FOREST A. CHRISTIAN

SHIMEK AND McGRAW
ATTORNEYS AT LAW
517 NORTH BAYLEN STREET
PENSACOLA, FLORIDA 32502

PAUL SHIMEK, JR.
ARTICE L. McGRAW

POST OFFICE BOX 661
TELEPHONE 434-2302

October 20, 1969

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

Re: Jeannette L. Hughey and Michael Allen Hughey, a minor, by his next friend, Jeannette L. Hughey, vs. Bessie A. Roberts

Dear Miss Duck:

Please find enclosed a complaint and copy thereof against Bessie A. Roberts. Would you please have the Sheriff serve the complaint on Miss Roberts in Gulf Shores, Alabama. I do not know Miss Roberts' specific address; however, I do know that she owns a number of cottages in Gulf Shores and makes her home in one of them.

I also do not know the charges for filing this suit and would request that if there are any charges, you would please notify me in order that I may forward my check.

I am presently practicing law in Pensacola, Florida; however, I am also a member of the Alabama Bar, therefore, I would greatly appreciate any procedural aid which you may offer.

Thanking you for your courtesies, I remain

Very truly yours,

Artice L. McGraw

ALMcG/jls

Enclosures (2)

1. off Index
2. CR

REGINALD H. STEPHENS
Attorney at Law
Suite 412 First Federal Tower
Corner Airport Blvd. at I-65
Mobile, Alabama 36606

478 - 6389

January 11, 1971

Circuit Court
Baldwin ~~Mobile~~ County Court House
Baldwin, ~~Mobile~~, Alabama

RE: Jeannette L. Hughey and Michael Allen Hughey vs.
Bessie A. Roberts Case No. 8,951
(PLEASE REFER TO ITEMS CHECKED BELOW)

Dear Sir:

1. ( ) Please issue an alias (pluries) complaint and summons at the following address:

2. ( ) Please issue a Writ of Discovery to the Defendant, commanding him to file in Court a sworn list of his assets, if any.

3. ( ) Please discharge the garnishee in the above styled cause.

4. ( ) Please also send a notice of the garnishment release to the garnishee.

5. ( ) Please furnish me with a Certificate of Judgment in the above case. My check in the amount of $.50 is enclosed.

6. ( ) Please issue an alias execution against the Defendant.

7. ( ) Please dismiss the above case on motion of Plaintiff.

8. (XXXXX) Please enter a non-suit in the above case on motion of Plaintiff.

9. ( ) Please find my check enclosed in the amount of $_____ to pay the Court costs.

10. ( ) Please send me your bill of costs.

REMARKS:

FILED
JAN 13 1971
ALICE J. DUCK CLERK REGISTER

Sincerely yours,

Reginald H. Stephens

FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
AREA CODE 205 — PHONE 943-2201
FOLEY, ALABAMA 36535

16 November 1970

Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Re: Mrs. Bessie A. Roberts
Gulf Shores, Alabama
8951

Dear Mrs. Duck:

Several months ago, probably in August, I discussed this case with the defendant, Mrs. Bessie A. Roberts, and it was my understanding that she went to Bay Minette to obtain another attorney since I was withdrawing from the case as I am still recovering from my heart surgery. Therefore, kindly remove my name as attorney for the defendant. I am sending a copy of this to Mrs. Roberts to inform her.

By copy of this letter, I am again instructing Mrs. Roberts to attend to this matter at once because it is very important that she have an attorney to defend her in this case.

Cordially yours,

FOREST A. CHRISTIAN

JEANETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANETTE L. HUGHEY	:	IN THE CIRCUIT COURT OF
	:	BALDWIN COUNTY, ALABAMA
Plaintiffs	:	
	:	
VS.	:	AT LAW
BESSIE A. ROBERTS	:	
Defendant	:	CASE NO. 8951

NOTICE OF APPEARANCE AS
ATTORNEY OF RECORD
FOR PLAINTIFFS

COMES now Reginald H. Stephens, Attorney at Law, 2062 Dauphin Street, Mobile, Alabama, 36606, and files this appearance as one of the Attorney's for the above named Plaintiffs. All corrospondence relating to the above styled cause should be directed to myself and the Honorable Artice L. McGraw of Pensacola, Florida.

FILED
[illegible] 5 1969
ALICE J. BUCK CLERK REGISTER

Reginald H. Stephens
Attorney for Plaintiffs

1568

JEANNETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANNETTE L. HUGHEY,	X	IN THE CIRCUIT COURT OF
PLAINTIFFS,	X	BALDWIN COUNTY, ALABAMA
VS:	X	AT LAW
BESSIE A. ROBERTS,	X	CASE NO. 8951
DEFENDANT.	X	

DEMURRER

Comes the Defendant in the above styled cause and demurs to the Plaintiff's complaint and to each count thereof separately and severally, and as grounds therefor sets down and assigns the following separately and severally:

1. The allegations of said complaint are vague, indefinite and uncertain.

2. The allegations of said count are mere conclusions of the pleader.

3. Said complaint fails to state a cause of action.

4. Said count fails to state a cause of action.

5. Said count fails to state a cause of action.

6. Said count fails to state a cause of action.

Forest A. Christian, Attorney for Defendant.

FILED

OCT 29 1969

ALICE J. DUCK CLERK REGISTER

CERTIFICATE OF SERVICE

I do hereby certify that I have on this the _____ day of OCT. 27 1969, 196 , served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first-class postage prepaid.

1548

IN THE TWENTY-EIGHTH JUDICIAL CIRCUIT OF

ALABAMA, BALDWIN COUNTY, IN LAW

JEANNETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANNETTE L. HUGHEY, Plaintiffs,	)	
vs.	)	Case No. 8951
BESSIE A. ROBERTS, Defendant.	)	

C O M P L A I N T

COME NOW the Plaintiffs, by their undersigned attorney, in the above-styled cause suing the Defendant and alleging as follows:

(1) The Plaintiff, JEANNETTE L. HUGHEY, is a bona fide resident of Baldwin County, Alabama, and is over the age of twenty-one (21) years.

(2) The Plaintiff, MICHAEL ALLEN HUGHEY, a minor, is a bona fide resident of Baldwin County, Alabama, and is suing by his next friend and mother, JEANNETTE L. HUGHEY.

(3) The Defendant, BESSIE A. ROBERTS, resides in Gulf Shores, Baldwin County, Alabama. The said Defendant, BESSIE A. ROBERTS, is over the age of twenty-one (21) years and is a resident of Baldwin County, Alabama.

(4) The Plaintiffs claim of the Defendant Twenty Five Thousand and 00/100 ($25,000.00) Dollars damages for maliciously and without probable cause therefor causing the Plaintiffs to be arrested under a warrant issued by R. O. Burgess, a Justice of the Peace, Baldwin County, Gulf Shores, Alabama, on or about the 25th day of July, A.D., 1969, on a charge of larceny, which charge, before the commencement of this action, has been judicially investigated and said prosecution ended and the Plaintiffs discharged.

(5) The Plaintiffs, JEANNETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, claim of the Defendant, BESSIE A. ROBERTS, Twenty Five Thousand and 00/100 ($25,000.00) Dollars damages for falsely and

maliciously charging the Plaintiffs of larceny by speaking of and converning them in the presence of divers persons, in substance as follows: "That the Plaintiffs committed a theft of the Defendant's watch while in the Defendant's home as guests", on or about the 25th day of July, A.D., 1969, and on or about the 15th and 16th days of September, A.D., 1969.

(6) The Plaintiff, JEANNETTE L. HUGHEY, claims of the Defendant, BESSIE A. ROBERTS, Twenty Five Thousand and 00/100 ($25,000.00) Dollars damages for falsely and maliciously stating to divers persons that: "The said Plaintiff, JEANNETTE L. HUGHEY, was a drunkard, a lush, and a totally unfit mother, and spent most of her time drinking in various liquor spots throughout Baldwin County", on or about the 15th and 16th day of September, A.D., 1969.

WHEREFORE, the premises considered, the Plaintiffs, JEANNETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANNETTE L. HUGHEY, pray that they recover the sum of Fifty Thousand and 00/100 ($50,000.00) Dollars against the Defendant, BESSIE A. ROBERTS, for the offenses as alleged in Counts Four (4) and Five (5) above and demand a trial by jury.

WHEREFORE, the premises considered, the Plaintiff, JEANNETTE L. HUGHEY, in addition to the above prays for damages of Twenty Five Thousand and 00/100 ($25,000.00) Dollars against the Defendant, BESSIE A. ROBERTS, for the offense as stated in Count Six (6) above and demands a trial by jury.

Artice L. McGraw of
SHIMEK AND McGRAW
517 North Baylen Street
Pensacola, Florida 32502
Attorneys for JEANNETTE L. HUGHEY and MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANNETTE L. HUGHEY

Plaintiffs' Address:
Post Office Box 292
Lillian, Alabama

Defendant's Address:
Gulf Shores
Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 8951

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon BESSIE A. ROBERTS

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

BESSIE A. ROBERTS Defendant

by JEANNETTE L. HUGHEY & MICHAEL ALLEN HUGHEY, a minor by his next friend

JEANETTE L. HUGHEY Plaintiff

Witness my hand this 22nd day of October 19 69

Alice J. Duck, Clerk

Ef 10-23-69

VOL 65 PAGE 373

No. 8951 Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JEANNETTE L. HUGHEY & MICHAEL ALLEN HUGHEY, a minor, by his next friend, JEANNETTE L. HUGHEY

Plaintiffs

vs.

BESSIE A. ROBERTS

Defendants

SUMMONS AND COMPLAINT

Filed October 22, 19 69

Alice J. Duck Clerk

SHIMEK & McGRAW

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED
Received In Office
OCT 22 1969
TAYLOR WILKINS
Sheriff

I have executed this summons

this Oct. 23 19 69

by leaving a copy with

Bessie A. Roberts

Sheriff claims 100 miles at ten cents per mile Total $ 10.00

TAYLOR WILKINS, Sheriff

By [signature] Deputy Sheriff

[signature] Sheriff

[signature] Deputy Sheriff

Dear Eunice:

Please attach to docket sheet.

M. Bullock