9002

| SUMMONS AND COMPLAINT | | | ROBERTS & SON-BIRMINGHAM |
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| THE STATE OF ALABAMA | | County | COUR' |
| DeKALB COUNTY | | | |
| | | Next | SESSION, 196 ⁸ |
| O ANY SHERIFF OF THE STATE OF ALABAM | a, greetin | IGS: | |
| You are hereby commanded to summon | | | |
| Jerald Styron Box 244 Fole | y, Alaba | ma | |
| o appear before the County Court in and i | for said Cou | nty, at the place o | f holding the same withi |
| 30 days from the service of this Summo | | | |
| days from the service of this Summo | ns and Comp | maint, then and there | to answer, plead, or demu |
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| to the complaint hereto annexed of Tennessee corporation, A Corp | | | |
| o the complaint hereto annexed of Tennessee corporation, A Corpo | oration | | |
| o the complaint hereto annexed of Tennessee corporation, A Corpo You are required to execute this process insta | oration | | |
| o the complaint hereto annexed of Tennessee corporation, A Corporation You are required to execute this process instachereof. | oration | turn the same imme | ediately upon the executio |
| to the complaint hereto annexed of | oration | turn the same imme | |
| Tennessee corporation, A Corporation of Tennessee corpor | oration | turn the same imme | ediately upon the execution, 196 |
| Tennessee corporation, A Corporation are required to execute this process instantanteer. Witness my hand, this | oration anter, and re | turn the same imme | ediately upon the execution , 1968. |
| You are required to execute this process instalereof. Witness my hand, this | oration anter, and re | turn the same imme | ediately upon the execution, 1968. Clerent WITHIN THIRT |
| Tennessee corporation, A Corporation are required to execute this process instanthereof. Witness my hand, thisday of | oration anter, and re | turn the same imme | ediately upon the execution, 1968. Clerent WITHIN THIRT |
| Tennessee corporation, A Corporation | oration anter, and re | turn the same immediately the | ediately upon the execution, 1968. Clerent WITHIN THIRT |
| Tennessee corporation, A Corporation | oration anter, and re | turn the same immediately the | nediately upon the execution in the exec |
| Tennessee corporation, A Corporation | oration anter, and re AND PLEATAKE JUDG | turn the same immediate to the same immediat | ediately upon the execution, 1962. Cler DEMUR WITHIN THIRT |
| Tennessee corporation, A Corporation, You are required to execute this process instanteneof. Witness my hand, this | oration anter, and re | turn the same immediate to the same immediat | ediately upon the execution, 1962. Cler DEMUR WITHIN THIRT |

COUNT I

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED THIRTY THREE AND 81/100 (\$433.81) DOLIARS due by Defendant to Plaintiff, on account, on to-wit, October 4, 1968, which sum of money with the interest thereon is past due and still unpaid.

ROBERT B. FRENCH

Attorney for the Plaintiff

ROBERT B. FRENCH ATTORNEY AT LAW 509 GAULT AVENUE N. FORT PAYNE, ALABAMA

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THE STATE OF ALABAMA DeKALB COUNTY COURT SUMMONS AND COMPLAINT FILED Filed_ OCT 1 9 1968 W. Carul Ivey
CLERK
Defendant lives at Člerk. Plaintiff's Attorney. Defendant's Attorney.

ROBERT B. FRENCH ATTORNEY AT LAW 509 GAULT AVENUE N.

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OCT 28 1968

MINING WILLIAM

TENNESSEE CORPORATION)
a corporation) IN THE COUNTY COURT OF
Plaintiff) DEKALB COUNTY, ALABAMA

VS.)

PLEA IN ABATEMENT

JERALD STYRON)

Defendant)

Now comes the defendant, JERALD STYRON, a resident citizen of BALDWIN COUNTY, ALABAMA, and files this his special plea to the jurisdiction of the Court in the above styled cause to the complaint filed against him by the plaintiff on to-wit: October 19, 1968, and says that the plaintiff cannot maintain this action against him in this Court, the defendant enters this plea in said cause, for the only and sole purpose of pleading to the jurisdiction of this Court and says:

1. That the defendant JERALD STYRON, is a resident of Baldwin County, Alabama, and that Baldwin County, Alabama, is the permanent residence of the defendant; that the account sued on was made in Baldwin County, Alabama, and at the time the account was made, the defendant was a resident of Baldwin County, Alabama and at no time has the defendant been a resident of DeKalb County, Alabama, nor done bussiness with the plaintiff in Dekalb County, Alabama.

Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Arthur C. Epperson, a Notary Public, in and for the State of Alabama, at large, personally appeared JERALD STYRON, who being duly sworn, says on oath that he has read the foregoing plea in abatement and that the matters set forth therein are true and correct and that he is a resident of Baldwin County, Alabama.

Sworn to and subscribed before me on this the 23rd day of November, 1968.

Notary Public, State of Ala. at large

I, Arthur C. Epperson, attorney for the Defendant, hereby certify that I have mailed a copy of the foregoing plea in abatement to Robert B. French, 509 Gault Ave. N. Fort Payne, Alabama, properly addressed and postage prepaid on this the 25th day of November, 1968.

FILED

BECS 1900

W. Carel - Lucy

Arthur C. Epperson P.O. Box 716

Foley, Ala. 36535

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| Tennessee Corp. | Jerald Styron |
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| PLAINTIFF | DEFENDANT |
| | RDER |
| Oct. 10, 1969, Plea in abatement c | |
| is transferred to the Circuit Cour | |
| | /s/ W. G. Hawkins, Judge. |
| . W. Comman T | |
| | , Clerk of the <u>County</u> Court of DeKal |
| | e and foregoing is a true and correct copy of the Cou |
| | ify that the following is a complete list of all pape |
| filed herein, all of which I am this day transmitting | |
| County Alahama as provided by Section 64 Title | |
| County, Madama, as provided by Section 64, Title | e 7 of the Code of Alabama, passed and approve |
| September 15, 1961. | e 7 of the Code of Alabama, passed and approve |
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| September 15, 1961. 1. Summons and Complaint 2. Plea 3. Answer to Plea 4. Cost bill 5. | November , 1969. W. Carrel Lyey |
| 1. Summons and Complaint 2. Plea 3. Answer to Plea 4. Cost bill 5. Witness my hand this the 14 day of | November , 1969. W. Carrel Lvey , Clerk of th Circuit Court, DeKalb County, Alabama |
| September 15, 1961. 1. Summons and Complaint 2. Plea 3. Answer to Plea 4. Cost bill 5. Witness my hand this the 14 day of | November , 1969. W. Carrel Lvey Clerk of th Circuit Court, DeKalb County, Alabama Please sign and return copy. Received of the county of the |
| September 15, 1961. 1. Summons and Complaint 2. Plea 3. Answer to Plea 4. Cost bill 5. Witness my hand this the 14 day of | November , 1969. W. Carrel Lvey Clerk of th Circuit Court, DeKalb County, Alabama Please sign and return copy. Received of the county of the |
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| September 15, 1961. 1. Summons and Complaint 2. Plea 3. Answer to Plea 4. Cost bill 5. Witness my hand this the lumber of t | W. Carrel Ivey W. Carrel Ivey Circuit Court, Dekalb County, Alabama Please sign and return copy. Received on the Circuit Court of Dekalb County, Alabama, all of the |
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| | | PLAINTIFF | | | DEFENDANT |
| | | . 0 | RDER | | |
| ct. | 10, 1969, Plea in | abatement (| confessed by | Plaintiff, | and case |
| s tr | ansferred to the C | iranit Com | <u>at of Paldwai</u> | n Joanty, 1 | Lebume. |
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| | | | /s/ W. G. | Hawkins, Ju | dge. |
| | I, <u>W. Carrel Evey</u> | | Clark of the | Cossen+si | Court of DoVa |
| | y, Alabama, do hereby certi | | | | |
| iled h | in the above styled cause, a erein, all of which I am thi y, Alabama, as provided by | s day transmitti | ng to the Clerk of | the Circuit | Court of DeKa |
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443

Clerk

TENNESSEE CORPORATION, A Corporation,

Plaintiff.

Vs.

JERALD STYRON.

Defendant.

IN THE COUNTY COURT OF DEKALB COUNTY, ALABAMA CASE NO. 707

Comes now the Plaintiff in the above styled cause and files this, his answer, to the Plea in Abatement previously filed by the Defendant and says as follows:

A AN AS

- 1. The Plaintiff confesses the Defendant's Plea in Abatement and concedes that the proper venue in this case is in the Circuit Court of Baldwin County, Alabama.
- 2. That the Circuit Court of Baldwin County, Alabama would be the proper court in which to try this case.
- 3. That the Plaintiff hereby consents and requests that this honorable court cause the transcript, together with all the original documents of this suit be sent to the Clerk of the Circuit Court of Baldwin County, Alabama.

FRENCH & NELSON
ATTORNEYS FOR THE PLAINTIFF

I hereby certify that a copy of the above and foregoing has this day been served on the Honorable Arthur C.
Epperson, Attorney for the Defendant, properly addressed
and postage prepaid.

This the ____ day of September, 1969.

FRENCH & NELSON

ATTORNEYS FOR THE PLAINTIFF

FILED SEP 26 1969 W. Carel July CLERK Our File No.

Law Offices

E. G. RICKARBY

35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

Code 205 Telephone:928-9836

Mailing Address P.O. Box 471

XO

Rebruary 25, 1971

Honorable Telfair J. Mashburn Judge of the Circuit Court Bay Minette, Alabama

Re: Tennessee Corporation v. Jerald Styron Case No. 9002

Dear Judge Mashburn:

Please dismiss this case at the request of the plaintiff. Thank you.

Yours very truly,

E. G. Rickarby

RCR:w

co-Arthur Epperson, Esquire

Mrs. Blackmon, please see that this is done. Thank you.

E.G.R.

THE STATE OF ALABAMA DEKALB COUNTY

THE DEKALB COUNTY COURT CIVIL DIVISION

Term, 19

No. 707 vs. Jerued Styron

BILL OF COSTS

| CLERK'S FEES: | AMO | UNT | SUMMARY OF FEES, COSTS AND JUDGMENT: | AMOU | INT |
|---|-----|-------------|---|---------------------|-----|
| 1. Suits for \$100.00 or less\$ 6.00 | | | 1. Clerk's Fees | 10 | 00 |
| 2. Suits for over \$100.00 but less than \$1000 10.00 | 10 | 00 | 2. Ex-Clerk's Fees | _ | |
| 3. Suits for \$1000.00 and over | | | 3. Sheriff's Fees | g. | 70 |
| 4. Suits Detinue, ejectment, etc | | | 4. Ex-Sheriff's Fees | | |
| 5. Suits not otherwise provided for 10.00 | | | 5. Trial Tax | 2 | 0.0 |
| 6. Appeal from Justice of Peace, etc 6.00 | | | 6. Court Reporter's Fee, per day\$ | Ţ | שנ |
| 7. Gamishment on Judgment, etc | | | 7. Witness Fees | | |
| 8. Workmen's Compensation—Petition Settlement | | | 8. Commissioner's Fees | | |
| 9. Appeals from State Dept. of Pub. | | | 9. Garnishec's Fees | | |
| Safety, etc | | | 10. Publisher's Fees | | |
| 11. Mandamus, writ of prohibition, etc 15.00 | | | 11. 2. 2. | 1 | 50 |
| 12. Recording Executions-State Agencies 3.00 | | | 12 | | |
| 13. Copy of Record—per 100 words | | | 13. Clerk's Fees in Inferior Court | | |
| 14. Certifying Abstract in transcript 5.00 | | | 14. Sheriff's Fees in Inferior Court | | |
| 15. Record for Supreme-Appeals Ct. per | | | 15. Witness Fees in Inferior Court | | |
| .15 | | | 16 | ⇔ • | |
| 16. Additional copies Record-Appeals per 100 wds | | | 17. Justice of Peace Fees | 24. | 70 |
| 17. Taking Appeal Bond | | | 18. Constable's Fees | | |
| 18. Reporter's Transcript on Appeal 10.00 | | | 19 | | |
| 19: Appeals Courts Concurrent Jurisdiction 15.00 | | | 20. Cost in Appealed Cases Docketed (Total) | | |
| 20. Application-Habeas Corpus | | [| TOTAL FEES AND COST | | |
| 21 | | | 21. | | |
| 22 | | | 22. Judgment \$\$ | | |
| Total Clerk's Fees | 10 | 00 | 23. 10% Damages | | |
| HERIFF'S FEES: | | | 24. Interest\$ | | |
| 3. Serving summons and complaint \$ 1.50 | 1 | 5 | TOTAL JUDGMENT | | |
| 24. Levying attachment and return 6.25 | • | | TOTAL FEES, COST AND JUDGMENT | | |
| 5. Seizing personal property-Detinue 6.00 | | | | | |
| 2.00 Left Approving bond, each 2.00 | 1 | | | | |
| 7. Serving Garnishee-Writ | | | | THE PERSON NAMED IN | |
| 18. Serving Sci. Fa. or notice 1.50 | | | | | |
| 9. Serving subpoenas, each | | | | | |
| 10. Impanelling Jury | | | | | |
| 1. Serving Contempt Attachment 1.50 | | į | | | |
| 2. Collecting execution for cost only 1.50 | | | | | |
| 3. Commissions on Execution | | | | | |
| 4. Executing Writ of Possession, each 5.00 | | . | | | |
| 5. Making Deed to Real Estate sold, each 2.50 | _ | | / | Ì | |
| 6. Mileage, each | 7 | 20 | | | |
| 7 | | | | - | |
| 8 | | | | İ | |
| Total Sheriff's Fees | 8. | 10 | | - | |

| | t., | W. C | oursel | Juin | |
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| | | | ATTEST: Clerk | DeKalb County | Clerk |
| eceived payment, this | day of | · | and the second | 19 | |
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| Defendant's Attorney | COST BILL Tern Page Plaintiff's | THE STATE OF ALABAMA DEKALB COUNTY THE DEKALB COUNTY COURT |
|----------------------|---------------------------------|--|