

JAMES R. OWEN
ATTORNEY AT LAW
110 COURTHOUSE SQUARE
BAY MINETTE, ALABAMA 36507

March 21, 1969

P. O. BOX 248
TEL. 937-2061
AREA CODE 205

Mrs. Jeanette Blackburn
Clerk of the Civil Court
Jefferson County
Room 518
Jefferson County Courthouse
Birmingham, Alabama 35200

Dear Mrs. Blackburn:

I enclose plea in abatement in the case
of Nelson Brantley Glass Company vs. D. H. D'Olive,
which is case number J57912.

I would appreciate it if you would file
this plea for me and give me notice when it is
set for hearing, in the event the plaintiff will
not admit that the plea is good.

Yours very truly,



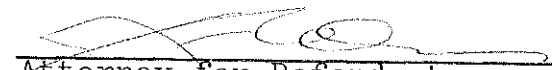
JAMES R. OWEN

JRO/ers
Enclosure

CC: McGowen & McGowen
Attorneys at Law
402 Massey Building
Birmingham, Alabama 35200

Ernestine R. Sims
Notary Public, Baldwin County, Alabama

Now comes the defendant and, without waiving his right to a ruling on the above and foregoing plea but, on the contrary, expressly insisting thereon, respectfully demands a trial by jury of this cause, should it reach trial on its merits.


Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 25th day of March, 1969.


Attorney for Defendant

RECEIVED
26 1969
COUNTY OF
N COUNTY

57412

THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
I, the undersigned, a Notary Public in and for the State of California, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of the County of San Diego.

ATTORNEY		NAME OF PARTIES				CAUSE OF ACTION				ITEMIZED BILL OF COSTS	
McGowen and McGowen D 6987 James R. McGowen 110 Courtland St. Bay Minette 36507		Nelson Brantley Glass Company, Inc. a corp. (Tarrant Branch, Birmingham, Alabama) vs. D.H.D'Olive (1415 Hand Avenue, Bay Minette, Alabama)				\$3,000.00 note plf. waives any claim for damages in excess of \$3,000.00 order to come within the jurisdiction of this court.				<div>COURT FEES</div> <div>Issuing Summons and Complaint \$1.00</div> <div>Issuing Alias Summons</div> <div>Issuing Alias Summons</div> <div>Issuing Subpoena Duces Tecum</div> <div>Issuing Subpoena, each witness</div> <div>Issuing Subpoena, each witness</div> <div>Issuing Exe. and taxing cost 1.</div> <div>Issuing Alias Execution</div> <div>Issuing Attachment Writ</div> <div>Bond and Affidavit 1.</div> <div>Issuing Vendi Exponas</div> <div>Issuing Transcript 1.</div> <div>Writ of Detinue</div> <div>..... Garnishment and Notice 1.</div> <div>..... Garnishment and Notice 1.</div> <div>..... Garnishment and Notice 1.</div> <div>..... Cer. not otherwise provided for2</div> <div>Docketing Cause to 1,000.00 6.1</div> <div>Docketing Cause over 1,000.00 9.1</div> <div>Issuing Commission <i>Cost Min</i></div> <div>Interrogatories, 10c Page 75c Party</div> <div>..... Sci. Fa. or Notice in nature thereof50</div> <div>Transfer of Case 3.00</div> <div>Alias Notice to Defendant25</div> <div>Notice to Defendant—Statement of Assets 1.50</div> <div>Citation to Defendant—Statement of Assets 1.50</div> <div>Appeal Bond, Trans. and Notice 3.00</div> <div>Library Tax25</div> <div><div>SHERIFF'S FEES</div><div>Serving Summons 2.50</div><div>Serving Summons 2.50</div><div>Entering Return25</div><div>Serving Summons each witness75</div><div>Serving Summons each witness75</div><div>Serving Garnishment 2.50</div><div>Serving Garnishment 2.50</div><div>Levying Attachment 7.50</div><div>Serving Gar. on Judgment 2.50</div><div>Levying Execution 3.00</div><div>Making Money, 5%, not less than 75c</div><div>Serving Notice etc., on each party therein 2.50</div><div>Serving Notice etc., on each party therein 2.50</div><div>Serving Sci. Fa. or other like notice 2.50</div><div>Taking Bond 2.00</div><div>Taking Property Levied on 7.50</div><div>Gar. Ans. Fee</div><div>Witness Fees</div><div>Miscellaneous</div><div><div>RECEIPTS</div><div>Paid Library Tax</div><div>Paid Court Fees</div></div></div>	
DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT	DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT		
3-5-69		Affidavit and Bond Filed for				4-2-69		ret. executed by <i>Malvin Bailey</i> , Sheriff			
3-11-69		Writ and Summons and Complaint issued, ret.						<i>Taylor Wilkins</i> Deputy Sheriff Jefferson County, Ala.			
3-26-69		Plea in abatement file D.									
APR 2 1969		On motion of <i>Parties</i> Plea is cont'd to <i>5-7-69</i> at 2:00 P.M.						75c. For Def. notified by mail			
MAY 7 1969		On motion of <i>Parties</i> Plea is cont'd to <i>6-4-69</i> at 2:00 P.M.						75c. For Def. notified by mail			
JUN 4 1969		On motion of <i>Parties</i> Plea is cont'd to <i>7-9-69</i> at 2:00 P.M.						75c. For Def. notified by mail			
JUL 9 1969		Case is continued as inactive.									
DEC 22 1969		Defendant's plea in abatement granted and this cause is hereby transferred to <u>Baldwin</u> <u>County Court, Bay Minette, Ala.</u> and the costs of the proceeding in this Court are hereby taxed to Plaintiff.						<i>Arnold D. ...</i> Judge.			
								FILED JAN 6 1970 ALICE CLERK REGISTER			
		I, <i>Joan Anderson</i> , in my capacity as Clerk of the Civil Court of Jefferson County, hereby certify that the above is a true and correct exemplification of all the minutes, orders and other proceedings in the above styled case in this Court.									
		Witness my hand, this <i>31</i> day of <i>Dec</i> 1969						<i>Joan Anderson</i> Clerk			