

ARMBRECHT, JACKSON & DEMOUY
LAWYERS

MERCHANTS NATIONAL BANK BUILDING

P.O. BOX 290

MOBILE, ALABAMA

36601

WM. H. ARMBRECHT
THEODORE K. JACKSON
MARSHALL J. DEMOUY
WM. H. ARMBRECHT, III
RAE M. CROWE
BROOX G. HOLMES
W. BOYD REEVES
JOHN GROW
FRANK B. MCRIGHT
Y. D. LOTT, JR.
CLIFFORD FOSTER, III
T. K. JACKSON, III
E. B. PEEBLES, III
F. M. KEELING
GEOFFREY V. PARKER

TELEPHONE
AREA CODE 205
432-6751
CABLE ADDRESS
SEALAW

April 28, 1970

Mrs. Alice Duck, Clerk
Baldwin County Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

9235

Dear Mrs. Duck:

Please find enclosed the original and four copies of a Complaint which we hereby file on behalf of Williams C. Holmes, Jr., Broox G. Holmes and James S. Holmes, Plaintiffs.

Very truly yours,

ARMBRECHT, JACKSON & DeMOUY

By

Frank B. McRight

Frank B. McRight

FBMc/pj
Enclosure

SUMMONS

STATE OF ALABAMA)
)
COUNTY OF BALDWIN) CIRCUIT COURT, BALDWIN COUNTY
) NO: 94-35 TERM, 1970

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon John Doe Fincher, individually and doing business as Fincher Bulldozing Service; Fincher Bulldozing Service, a corporation, partnership or proprietorship, whose true name and legal identity is otherwise unknown to Plaintiffs but will be added by amendment when ascertained; Charles Rhodes and Max Russell, jointly and separately, 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 John Doe Fincher, individually and doing business as Fincher Bulldozing Service; Fincher Bulldozing Service, a corporation, partnership or proprietorship, whose true name and legal identity is otherwise unknown to Plaintiffs but will be added by amendment when ascertained; Charles Rhodes and Max Russell, jointly and separately, Defendants, by William C. Holmes, Jr., Broox G. Holmes and James S. Holmes, Plaintiffs.

Witness my hand this 30 day of April, 1970.

Archie J. Duck Clerk

WILLIAM C. HOLMES, JR.,	*	IN THE CIRCUIT COURT
BROOX G. HOLMES and	*	OF
JAMES S. HOLMES,	*	BALDWIN COUNTY,
Plaintiffs,	*	ALABAMA
vs.	*	
JOHN DOE FINCHER, individually,	*	
and doing business as FINCHER	*	
BULLDOZING SERVICE; FINCHER	*	
BULLDOZING SERVICE, a corpora-	*	
tion, partnership or proprietorship,	*	
whose true name and legal identity	*	
is otherwise unknown to Plaintiffs	*	AT LAW
but will be added by amendment	*	
when ascertained; CHARLES RHODES	*	
and MAX RUSSELL, jointly and se-	*	
parately,	*	
Defendants.	*	CASE NO:

COMPLAINT

COUNT ONE

Plaintiffs claim of the defendants \$5,000.00, as damages, for that heretofore and on, to-wit: May 2, 1969, Plaintiffs owned, and still own, a certain parcel of real property in Baldwin County, Alabama, described as the North Half of the Southeast Quarter of Section 27, Township 8 South, Range 4 East, and on which parcel of real property there was situated a twenty-two acre stand of planted pine timber owned by Plaintiffs, and Plaintiffs aver that on, to-wit: May 2, 1969, the Defendants were conducting a land clearing operation on said described property and then and there Defendants so negligently conducted said operation as to cause or allow a fire to start on said property and to spread onto Plaintiffs said pine timber thereby proximately and directly causing the said timber to be severely burned and consumed by fire. And Plaintiffs aver that as a direct and proximate result of the combined and concurring negligence of the Defendants, as aforesaid,

Plaintiffs' pine timber was severely damaged and burned, and the
Plaintiffs have lost the expense of planting and caring for said timber
for many years, and have lost profits from the sale of said timber.
Hence this suit.

ARMBRECHT, JACKSON & DeMOUY
Post Office Box 290
Mobile, Alabama 36601

By Frank B. McRight
Frank B. McRight

ATTORNEYS FOR THE PLAINTIFF

Please serve the Defendants as follows:

John Doe Fincher and Fincher Bulldozing Service at their
place of business in Loxley, Alabama.

Charles Rhodes at his residence in Foley, Alabama.

Max Russell at his residence in Foley, Alabama.

FILED

APR 30 1970

ALICE J. CREEK CLERK

TELEPHONE
AREA CODE 205
432-6751
CABLE ADDRESS
SEALAW

ARMBRECHT, JACKSON & DEMOUY
LAWYERS

MERCHANTS NATIONAL BANK BUILDING

P. O. BOX 290

MOBILE, ALABAMA

36601

December 8, 1971

WM. H. ARMBRECHT
THEODORE K. JACKSON
MARSHALL J. DEMOUY
WM. H. ARMBRECHT, III
RAE M. CROWE
BROOK G. HOLMES
W. BOYD REEVES
FRANK B. MCRIE
CLIFFORD FOSTER, III
T. K. JACKSON, III
E. B. PEEBLES, III
F. M. KEELING
GEOFFREY V. PARKER
THOMAS M. AMMONS, III
WILLIAM B. HARVEY
KIRK C. SHAW
NORMAN E. WALDROP

Honorable Teltar Mashburn, Judge
Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama 36507

Re: William C. Holmes, Jr., et al, vs.
John Doe Fincher, et al
Case No. 9235
Circuit Court of Baldwin County

Dear Judge Mashburn:

This case having been settled by the parties, it is requested and
moved by the Plaintiffs that the case be dismissed.

By copy of this letter, I am requesting that the Clerk forward the
cost bill to me for payment.

Very truly yours,

ORIGINAL SIGNED
BROOK G. HOLMES

Brook G. Holmes

Attorney for Plaintiffs.

BCH:sh

cc: Mrs. Eunice M. Blackmon

3/2/72
19.00

SUMMONS

STATE OF ALABAMA)
)
COUNTY OF BALDWIN) CIRCUIT COURT, BALDWIN COUNTY
)
) NO: 92-35 _____ TERM, 1970

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon John Doe Fincher, individually and doing business as Fincher Bulldozing Service; Fincher Bulldozing Service, a corporation, partnership or proprietorship, whose true name and legal identity is otherwise unknown to Plaintiffs but will be added by amendment when ascertained; Charles Rhodes and Max Russell, jointly and separately, 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 John Doe Fincher, individually and doing business as Fincher Bulldozing Service; Fincher Bulldozing Service, a corporation, partnership or proprietorship, whose true name and legal identity is otherwise unknown to Plaintiffs but will be added by amendment when ascertained; Charles Rhodes and Max Russell, jointly and separately, Defendants, by William C. Holmes, Jr., Broox G. Holmes and James S. Holmes, Plaintiffs.

Witness my hand this 30 day of Apr, 1970.

Alice J. Duck Clerk

WILLIAM C. HOLMES, JR.,
BROOX G. HOLMES and
JAMES S. HOLMES,

Plaintiffs,

vs.

JOHN DOE FINCHER, individually,
and doing business as FINCHER
BULLDOZING SERVICE; FINCHER
BULLDOZING SERVICE, a corpora-
tion, partnership or proprietorship,
whose true name and legal identity
is otherwise unknown to Plaintiffs
but will be added by amendment
when ascertained; CHARLES RHODES
and MAX RUSSELL, jointly and se-
parately,

Defendants.

* IN THE CIRCUIT COURT
* OF

* BALDWIN COUNTY,

* ALABAMA

*

*

*

*

AT LAW

*

*

*

CASE NO: 9235

COMPLAINT

COUNT ONE

Plaintiffs claim of the defendants \$5,000.00, as damages, for that heretofore and on, to-wit: May 2, 1969, Plaintiffs owned, and still own, a certain parcel of real property in Baldwin County, Alabama, described as the North Half of the Southeast Quarter of Section 27, Township 8 South, Range 4 East, and on which parcel of real property there was situated a twenty-two acre stand of planted pine timber owned by Plaintiffs, and Plaintiffs aver that on, to-wit: May 2, 1969, the Defendants were conducting a land clearing operation on said described property and then and there Defendants so negligently conducted said operation as to cause or allow a fire to start on said property and to spread onto Plaintiffs said pine timber thereby proximately and directly causing the said timber to be severely burned and consumed by fire. And Plaintiffs aver that as a direct and proximate result of the combined and concurring negligence of the Defendants, as aforesaid,

Plaintiffs' pine timber was severely damaged and burned, and the
Plaintiffs have lost the expense of planting and caring for said timber
for many years, and have lost profits from the sale of said timber.
Hence this suit.

ARMBRECHT, JACKSON & DeMOUY
Post Office Box 290
Mobile, Alabama 36601

By Frank B. McRight
Frank B. McRight

ATTORNEYS FOR THE PLAINTIFF

Please serve the Defendants as follows:

John Doe Fincher and Fincher Bulldozing Service at their
place of business in Loxley, Alabama.

Charles Rhodes at his residence in Foley, Alabama.

Max Russell at his residence in Foley, Alabama.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this.....day
of....., 197....., 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.

FILED

APR 30 1970

ALICE J. DUCK CLERK
REGISTER

no 9236

William C. Holmes, Jr
et al

vs.

John Doe Fincher
et al

FILED

APR 20 1970

ALICE J. BERRY CLERK
REGISTER

Armbricht, Jackson
Solicitors

Sh. in claim 127
Cents per mile 1560
TAYLOR WILKINS Sheriff
at 1111 1/2 Ave
DEPT 8-2007

84
74
1170

Received 80 day of April 1970
and on 1 day of May 1970
I served a copy of the within 80C
on Paul Russell & Charles
Blodder
5-may-70
John Doe Fincher
TAYLOR WILKINS Sheriff
Paul Russell D. 81