

STATE OF ALABAMA

Baldwin County

Case No. 9264½

TO R. W. Elleard....., Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..  
Barbara D. Turk, a minor suing by and through her father and next  
friend, L. M. Turk  
..... Plaintiff.....

versus Samuel R. Elleard & R. W. Elleard, jointly and individually, Defendant.....now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which Rotary.....Rehabilitation Clinic, 1874 Pleasant Avenue, Mobile.....

has... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the .....

.....6th day of .....September....., 1972.....

*Ernest B. Blackburn*  
.....  
Clerk of the Circuit Court.

*Mobile*

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

R. W. Elleard

Barbara D. Turk, a minor suing by and

through her father and next friend,

L. M. Turk

Plaintiff....

VS.

Samuel R. Elleard & R. W. Elleard,

jointly and individually

Defendant....

RECEIVED

SEP 6 1972

TAYLOR WILKINS  
CLERK

EXECUTED

This 8 day of Sept, 19 72  
by serving a copy of the within on

Samuel R. Elleard  
RAY D. BRIDGES, Sheriff

By [Signature] D.S.

# MEMO-LETTER

JOHN V. DUCK  
Attorney at Law  
P. O. DRAWER Y - FAIRHOPE, ALABAMA 36532  
928-2191

## MESSAGE

## REPLY

TO Mrs. Eunice Blackmon

P.O. 239

Bay Minette, Ala.

DATE July 2, 1973

RE: CASE 1264½

Please file the attached for us to  
have the ~~Judge~~ Garnishment reinstated.

Thank you.

JoAnne

SIGNED

SIGNED

BARBARA D. TURK, a minor suing by  
and through her Father and next friend,  
L. M. TURK

PLAINTIFF

vs.

SAMUEL R. ELLEARD & R. W. ELLEARD,  
JOINTLY AND INDIVIDUALLY,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

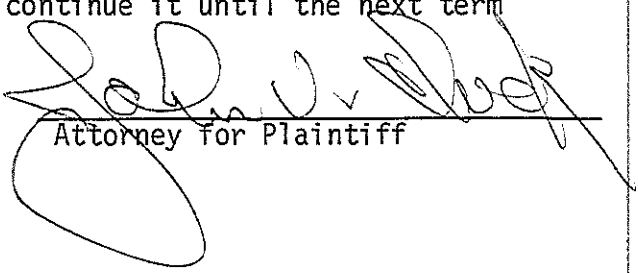
AT LAW

NO. 9264 $\frac{1}{2}$

MOTION TO REINSTATE GARNISHMENT

Comes now the Complainant by and through her attorney, John V. Duck and moves the Court to reinstate the Garnishment and gives the following for grounds:

This Garnishment was dismissed upon failure of the Defendant's Attorney to file his request for continuance in time, with the Clerk of Baldwin County, and, since the Defendant is paying this Garnishment, the Plaintiff request that the Court reinstate said Garnishment and continue it until the next term

  
Attorney for Plaintiff

**FILED**  
JUL 5 1973  
EUNICE B. BLACKMON CIRCUIT CLERK

BARBARA D. TURK, a minor suing by  
and through her Father and next friend,  
L. M. TURK

PLAINTIFF

vs.

SAMUEL R. ELLEARD & R. W. ELLEARD,  
JOINTLY AND INDIVIDUALLY,

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

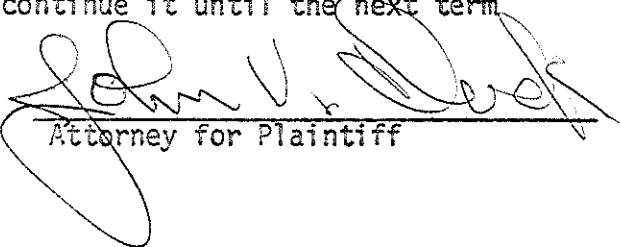
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Attorney for Plaintiff

9264 1/2

**THE STATE OF ALABAMA**  
**MOBILE COUNTY**

CIRCUIT COURT

GONAS, CONRAD & HAMMOND  
Attorneys for Plaintiff

Warren L. Hammond, Jr.

Sworn to and subscribed this ..... 4 .....

day of Sept A.D., 1972

Clerk

FILED

SEP 6 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

No.....

**CIRCUIT COURT**

vs.

**AFFIDAVIT FOR GARNISHMENT  
ON JUDGMENT**

Filed in Office,

19.....

Clerk.

FILED

CLERK OF DISTRICT COURT  
JAN 2 1911

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

May

TERM, 19<sup>72</sup>

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular ~~XXXX~~ May Term, 19<sup>72</sup> of the Circuit Court of Baldwin County, to-wit: On the 15th day of May, 19<sup>72</sup>, being a regular day of said term, Barbara D. Turk, a minor suing by & through her father & next friend L. M. Turk

recovered judgment against ~~XXXXXX~~

R. W. Elleard

for the sum of (\$7,500.00) Seven Thousand Five Hundred &amp; no/100 Dollars, and cost of suit,

and affidavit having been made by Warren L. Hammond, Jr.

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

Rotary Rehabilitation Clinic, 1874 Pleasant Avenue, Mobile, Alabama

has or is believed to have in its possession, or under its control money or effects belonging to said defendant R. W. Elleard or that is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon Rotary Rehabilitation Clinic  
1874 Pleasant Avenue, Mobile, Alabama

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant R. W. Elleard and whether it will not be indebted in future to said defendant R. W. Elleard by a contract then existing, and whether by a contract then existing is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant, R. W. Elleard

Herein fail not, and have you then and there this Writ.  
Eunice B. Blackmon

Witness, Clerk of said Court, this 6th day of Sept., A. D., 19<sup>72</sup>Issued 6th day of Sept., A. D., 19<sup>72</sup>

ATTEST:

Eunice B. Blackmon Clerk



REC'D SHERIFF DEPT.  
MOBILE COUNTY, ALA.

SEP 7 12 59 PM '72

Received 7 Day of Sept 19 72  
and on Sept 19 72  
I served a copy of the within Return  
on Return Rehabilitation Clinic

by service on Mrs. Woodard, Dini

RAY D. HUGHES, SHERIFF

By E. Johnson

*John* 9515-3300 *Mobile*

CIRCUIT COURT, BALDWIN COUNTY

No. 9264  $\frac{1}{2}$

BARBARA D. TURK, a minor suing by and  
through her father & next friend L. M. Turk

VS. } GARNISHMENT ON JUDGMENT

Samuel R. Elleard & R. W. Elleard Jointly  
& individually

Issued 6th day of Sept. 19 72

Returnable          day of          19         

RECEIVED

SEP 16 1972

TAYLOR WILKINS  
CLERK

Gonas, Conrad & Hammond

Attorney

Moore Printing Co. Bay Minette, Ala.

*Return Rehabilitation Clinic*  
*1874 Pleasant Ave*  
*Mrs. Woodard, Dini*