

FILED⁽¹⁹⁹⁾

JUL 27 1970

July 24, 1970

ALICE J. DUCK CLERK
REGISTER

MARIE H. LANGHAM, Plaintiff

VS

WALTER PEAVY, JR., Defendant

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, AT LAW

CASE NO. 9386

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on July 17, 1970
I sent by certified mail in an envelope addressed as follows:

"Walter Peavy, Jr.
698 Alfonso Street
Pensacola, Florida 32505"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

"Walter Peavy, Jr.
698 Alfonso Street
Pensacola, Florida 32505

You will take notice that on July 17, 1970 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: MARIE H. LANGHAM, Plaintiff VS WALTER PEAVY, JR., Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
Case No. 9386 a true copy of which summons and complaint is attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 17th day of July, 1970

Enclosure (1)

(Signed) Mabel S. Amos
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on July 22, 1970 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Pensacola, Fl.
on 7/21/70

WITNESS MY HAND and the Great Seal of the State of Alabama this the 24th day of July, 1970


MABEL S. AMOS
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
CC: Honorable John Earle Chason
Chason, Stone & Chason
157 Hoyle Avenue
Bay Minette, Alabama 36507



STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Walter Peavy, Jr., to appear within thirty days from the service of this Writ in the Circuit Court to be held for said county at the place of holding same, then and there to answer the Complaint of Marie H. Langham.

Witness my hand this 15 day of July

1970.

Alice J. Duck
Clerk

MARIE H. LANGHAM,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

WALTER PEAVY, JR.,

X

AT LAW

Defendant.

X

9386

COUNT ONE

Plaintiff claims of the Defendant the sum of Seven Hundred Dollars (\$700.00) as damages for that heretofore on, to-wit, the fourteenth day of April, 1970, at the intersection of County Road number 32 and County Road number 55, approximately 4.5 miles South of Silverhill, in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a vehicle being driven by the Plaintiff and as a proximate result of said negligence the Plaintiff received severe bruises and contusions in and about her abdomen and legs, she was made sick, sore and lame and suffered much mental and physical pain, she suffered a whiplash injury to

her neck and back and her eyeglasses were broken and she was unable to work at her occupation where she was gainfully employed at the time of the accident, said disability lasting for six weeks; all of said damages being the direct and proximate result of the negligence of the Defendant in the sum above mentioned, hence this suit.

COUNT TWO

Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages for that heretofore on, to-wit, the fourteenth day of April, 1970, at the intersection of County Road number 32 and County Road number 55, approximately 4.5 miles South of Silverhill, in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a vehicle belonging to the Plaintiff's husband and which at the time of said accident was in the possession and under the control of the Plaintiff as bailee and as a proximate result of said negligence the said vehicle was totally destroyed in the sum above mentioned, hence this suit.

CHASON, STONE & CHASON

By: John Earle Chason
Attorneys for Plaintiff

Service may be effected upon the Defendant at 698 Alfonso Street, Pensacola, Florida, by service on the Secretary of State of the State of Alabama.



FILED

JUL 15 1970

ALICE J. DUCK

CLERK
REGISTER



2000

Evidence of the defendant in the two prior hearings, hence any
 of this evidence before the trial was inadmissible because of the vio-
 lation of the defendant's right against self-incrimination. The
 fact that the defendant was present at the trial and did not object
 to any of the evidence before the trial was not sufficient to waive
 the right against self-incrimination. The fact that the defendant
 was present at the trial and did not object to any of the evidence
 before the trial was not sufficient to waive the right against self-
 incrimination. The fact that the defendant was present at the trial
 and did not object to any of the evidence before the trial was not
 sufficient to waive the right against self-incrimination.



MABEL S. AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104
269-6185
AREA CODE 205

9386

August 12, 1971

Honorable Sheriff
Escambia County
Pensacola, Florida 32502

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Sir:

Re: MARIE H. LANCHAM VS WALTER PEAVY, JR., Defendant

Enclosed is my notice, together with copies of Summons and Complaint in duplicate in suit against Walter Peavy, Jr., now pending in the Circuit Court of Baldwin County, Alabama.

Title 7, Section 199 of the 1940 Code of Alabama provides, among other things, that service of process may be had by a Sheriff, Deputy Sheriff, Marshal or Deputy Marshal or any other duly constituted public official within the jurisdiction of the defendant's residence. This statute further provides a fee of \$2 for each service by said official. I am enclosing a check in the amount of \$2 forwarded to me by the attorney for the plaintiff. If there are any additional charges by you, you will please contact said attorney, who will give same his prompt attention.

I attempted service upon the said defendant at the address given, by certified mail, return receipt requested, deliver to addressee only; but said letter was returned, marked "UNCLAIMED".

I shall greatly appreciate your efforts to complete this service upon the said defendant by serving upon him the original notice with the copy of the Summons and Complaint attached and making your return on the copy to the Clerk of the Court, who is named below.

Yours very truly,

fc
Enclosures

Mabel S. Amos
Secretary of State

CC: Honorable John E. Chason
157 Hoyle Avenue
Bay Minette, Alabama 36507

✓ Honorable Eunice B. Blackmon, Clerk
Circuit Court of Baldwin County
Court House
Bay Minette, Alabama 36507



MABEL S. AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104
269-6185
AREA CODE 205

August 4, 1971

Hon. John B. Chason
157 Hoyle Avenue
Bay Minette, Alabama 36507

Dear Mr. Chason:

Re: Marie E. Langham Vs Walter Peavy, Jr.

Please refer to your file in the above-styled cause and be advised that on July 9, 1971, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

Walter Peavy, Jr.
698 Alfonso Street
Pensacola, Florida 32505

On August 2, 1971, this letter (Certified No. 51142) was returned to me with reason for non-delivery given as "Unclaimed"

If you would like to further pursue service on this defendant, according to the provisions of Title 7, Section 199, an additional \$2.00 deposit will enable me to attempt personal service by local law enforcement officers.

Will you please advise me as to any further steps you wish me to take in perfecting this service.

Yours very truly,

Mabel S. Amos
Secretary of State

CC: Hon. Enice B. Blackmon, Clerk
Circuit Court of Baldwin County
Court House
Bay Minette, Alabama 36507

9386

THE
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OF THE
MUSEUM OF
NATURAL HISTORY

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MARIE H. LANGHAM,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
WALTER PEAVY, JR.,	X	AT LAW
Defendant.	X	

AMENDMENT TO COMPLAINT

Comes now the Plaintiff in the above styled cause and amends the Complaint heretofore filed in said cause by substituting in Count One thereof the sum of One Thousand Dollars (\$1,000.00) as damages for the sum of Seven Hundred Dollars (\$700.00) as damages so that as amended, Count One claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages. In all other respects Count One shall remain as previously filed.

CHASON, STONE & CHASON

BY:

John E. Chason
Attorneys for Plaintiff

Service may be effected upon the Defendant at 698 Alfonso Street, Pensacola, Florida, by service on the Secretary of State of the State of Alabama.

FILED

JUN 18 1971

EUNICE B. BLACKMON CIRCUIT CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

}

Circuit Court, Baldwin County

No. 9386

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Walter Peavy, Jr.

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.....

Walter Peavy, Jr., Defendant.....

by Marie H. Langham

....., Plaintiff.....

Witness my hand this 18th day of June 1971

Eunice B. Blackmon, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

MARIE H. LANGHAM

Plaintiffs

vs.

WALTER PEAVY, JR.

Defendants

SUMMONS AND COMPLAINT

Filed June 18, 1971.

Clerk

FILED

JUN 18 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

CHASON, STONE, & CHASON

Plaintiff's Attorney

Defendant's Attorney

JUN 18 1971

Defendant lives at

RECEIVED IN OFFICE

Received In Office
JUN 21 1971

M. S. BUTLER, Sheriff

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

JUL 8 1971

W. L. WILKINS

Sheriff

Executed by serving copies of

the within on Walter Peavy, Jr.

Secretary of State of The State of

Alabama.

This the 7 day of July, 1971.

Sheriff of Montgomery County

M. S. Butler,

By W. L. Moser D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 1 process (est) and \$1.00

travel expense on each of 1 Sheriff

process (est) on a total of \$2.50

W. L. Moser Deputy Sheriff

Moore Printing Co. - Bop. Milledge Ave.

(Returned without action 6-21-71)
M. S. Butler, Sheriff



MABEL AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

August 25, 1971

9386

Hon. Sheriff
Escambia County
Pensacola, Florida 32502

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Sir:

Re: MARIE H. LENGHAM VS WALTER PEAVY, JR.,

I am in receipt of my letter to you of August 12 bearing the notation "no address furnished for defendant"

You will note that the address is shown on my letter to the defendant, also on the bottom of Amendment to Complaint.

I am returning to you my letter of August 12, my notice, together with copies of Summons and Complaint in duplicate and two dollars in currency.

Please attempt service on the defendant at 698 Alfonso Street, Pensacola, Florida 32505.

With best wishes, I am

Yours sincerely,

Mabel S. Amos
Secretary of State

en
encs.

cc: Hon. John E. Chason
157 Hoyle Avenue
Bay Minette, Alabama 36507

Hon. Eunice B. Blackmon, Clerk ✓
Circuit Court of Baldwin County
Court House
Bay Minette, Alabama 36507

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Walter Peavy, Jr., to appear within thirty days from the service of this Writ in the Circuit Court to be held for said county at the place of holding same, then and there to answer the Complaint of Marie H. Langham.

Witness my hand this 15 day of July, 1970.

Dee-Dee Duck
Clerk

MARIE H. LANGHAM,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

WALTER PEAVY, JR.,

X

AT LAW

Defendant.

X

COUNT ONE

Plaintiff claims of the Defendant the sum of Seven Hundred Dollars (\$700.00) as damages for that heretofore on, to-wit, the fourteenth day of April, 1970, at the intersection of County Road number 32 and County Road number 55, approximately 4.5 miles South of Silverhill, in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a vehicle being driven by the Plaintiff and as a proximate result of said negligence the Plaintiff received severe bruises and contusions in and about her abdomen and legs, she was made sick, sore and lame and suffered much mental and physical pain, she suffered a whiplash injury to

her neck and back and her eyeglasses were broken and she was unable to work at her occupation where she was gainfully employed at the time of the accident, said disability lasting for six weeks; all of said damages being the direct and proximate result of the negligence of the Defendant in the sum above mentioned, hence this suit.

COUNT TWO

Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages for that heretofore on, to-wit, the fourteenth day of April, 1970, at the intersection of County Road number 32 and County Road number 55, approximately 4.5 miles South of Silverhill, in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a vehicle belonging to the Plaintiff's husband and which at the time of said accident was in the possession and under the control of the Plaintiff as bailee and as a proximate result of said negligence the said vehicle was totally destroyed in the sum above mentioned, hence this suit.

CHASON, STONE & CHASON

By: John Earle Chason
Attorneys for Plaintiff

Service may be effected upon the Defendant at 698 Alfonso Street, Pensacola, Florida, by service on the Secretary of State of the State of Alabama.

FILED

JUL 15 1970

ALICE J. DUCK CLERK
REGISTER

W. J. Moore Deputy Sheriff

process (est) of a total of \$2.50

travel expense on each of

serving process (est) and \$1.00

County, Alabama (Sheriff \$1.50 each for

M. S. Butler, Sheriff of Montgomery

JUL 16 1970

RECEIVED

W. J. Moore D.D.

M. S. Butler Sheriff of Montgomery County

This the 17 day of July 1970

Alabama Secretary of State of the State of

the within on M. S. Butler copies 62

RECEIVED IN OFFICE JUL 17 1970 M. S. BUTLER, Sheriff

258

9386

MARIE H. LANGHAM,

Plaintiff,

vs.

WALTER PEAVY, JR.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED

JUL 15 1970

ALICE J. DUCK CLERK REGISTER

CHASON, STONE & CHASON ATTORNEYS AT LAW P. O. Box 120 BAY MINETTE, ALABAMA

CASE NO. 9386

Marie H. Langham vs. Walter Peavy, Jr.

FILED 6-18-71

SERVICE (Personal
Registered Mail) _____

EUNICE B. BLACKMON

Circuit Clerk

MARIE H. LANGHAM VS WALTER PEAVY, JR. (9386)

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID:

☐ Show to whom, date and address
where delivered

☒ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must be filled in)

CERTIFIED NO.

50732

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to addressee only

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

7-21-70

C-2-C-

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check Block(s) on other side. Moisten gummed ends and attach this card to back of article.

RECEIVED

RETURN TO

JUL 21 1970

SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

FOD Form 3811 Apr 1969 505-10-71648-11