FELTON ROBERTS, JR.,	)	IN THE CIRCUIT COURT
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	AT LAW
SAM BROWN,	)	
Defendant.	)	NUMBER: _____

Comes now Defendant in the above styled case and demands trial by Jury.

Attorney for Defendant
Wilson Hayes

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 15th day of Sept, 1970, 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, with first class postage prepaid.

FILED

SEP 16 1970

ALICE J. DUCK CLERK REGISTER

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY, ALABAMA

Felton Roberts, Jr. Plaintiff	(	CASE NO. 88997
VS	)	Filed: August 4, 1970
Sam Brown Defendant	(	Issued: August 5, 1970
Amount Claim: $350.00	)	Returnable: September 15, 1970
	(	Service Had: 8-12-70
	)	Cause of Action: Accident
	(	Attorney for Plaintiff: Foreman, Brown & Hudgens
	)	Attorney for Defendant: Wilson Hayes (Bay Minette)

9-2-70 Deft's Plea in Abatement filed.

9-15-70 Plea Confessed transfer to **Circuit** Court of Baldwin County, Alabama.

Thomas F. Sweeney

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ABOVE STYLED CAUSE AS IT APPEARS ON RECORD AND IN THE FILES OF THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY, ALABAMA.

WITNESS MY HAND THIS THE 22ND DAY OF SEPTEMBER, 1970.

J. D. Richardson

CLERK OF THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY, ALABAMA.

WILSON HAYES
LAWYER
P. O. BOX 300
BAY MINETTE, ALABAMA
36507

TELEPHONE 937-5506

November 16, 1970

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama 36507

Re: Felton Roberts, Jr.
Vs. Sam Brown

Dear Mrs. Duck:

Please file the enclosed pleading in the above referenced case.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms
Enc.

GS-B9—15M—

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Sam Brown

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 15 day of September, 19 70 at the hour of 9:00 A.M., then and there to answer a complaint of Felton Roberts, Jr.

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this ..... day of ..... 19.....

J. D. Richardson

Clerk of the Court of General Sessions of Mobile County.

Cause of Action

COMPLAINT AND SUMMONS

Atty. for Plaintiff: Foreman, Brown & Hudgens

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 88997

Ret. September 15, 1970

Felton Roberts, Jr.

VS.

Sam Brown
Standard Furniture Co
Bay Minette, Ala.

Continued To

Executed by Service on

Sam Brown
Defendant

This 12 day Aug 1970

Sheriff of Mobile County

By W. A. Zollhoefer
Deputy Sheriff

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.
AUG 6 11 54 AM '70
BY

Received 11 day of Aug 1970
and on day of 19
I served a copy of the within Ord
on Sam Brown
By
Received on
Taxed in Fees
D. S.
By

REC'D. SHERIFF
MOBILE COUNT
AUG 14 9 00
BY

VOL 68 PAGE 281

WILSON HAYES
LAWYER
P. O. BOX 300
BAY MINETTE, ALABAMA
36507
TELEPHONE 937-5506

September 1, 1970

Clerk, Court of General
Sessions of Mobile County
Mobile, Alabama

Dear Sir:

Please file the enclosed Plea in Abatement in Case #88997, Felton Roberts, Jr., Vs. Sam Brown.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms
Enc.

FELTON ROBERTS, JR.,	)	IN THE COURT OF GENERAL
Plaintiff,	)	SESSIONS OF MOBILE COUNTY,
Vs.	)	ALABAMA
SAM BROWN,	)	
Defendant.	)	CASE NO. 88997

PLEA IN ABATEMENT

Comes now Defendant by his Attorney solely for the purpose of filing this Plea in Abatement herein and says that the Plaintiff ought not to have and maintain his cause of action in this Court for that

1. It affirmatively appears on the face of the complaint that the said action occurred in Baldwin County, Alabama and not in Mobile County, Alabama.

2. That Defendant resides and did on the date of the said accident reside and has all of his lifetime to the date of filing this plea reside in Baldwin County, Alabama and that he has never and does not now reside in Mobile County, Alabama.

Wherefore Defendant prays that this cause be abated and Defendant go hence without day.

Respectfully submitted.

Wilson Hayes
Attorney for Defendant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, this day personally appeared Wilson Hayes, who is known to me and who being by me first duly sworn to speak the truth, deposes and says he has read the foregoing instrument and knows the facts therein stated are true to the best of his information and belief.

Wilson Hayes

Sworn to and subscribed before me this the 1st day of September, 1970.

Mary C. Stiers
Mary C. Stiers, Notary Public

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 1st day of September, 1970, 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, with first class postage prepaid.

88997

G S B-11—1M—6-64

TRANSFER

NOTICE of ~~APPEAL~~

STATE OF ALABAMA,
MOBILE COUNTY

Felton Roberts, Jr.

Plaintiff

VS.

Sam Brown

Defendant

To Sam Brown

in said Cause: Felton Roberts, Jr. VS Sam Brown

You are hereby notified that

FeltonRoberts, Jr.

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, from ~~appeal from the judgment therein rendered by~~ ~~Judge~~ of the COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of ~~Mobile~~ Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 22 day of September 19 70

J. W. Richardson

Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 88997

Felton Roberts, Jr.

Plaintiff,

VS

Sam Brown
Standard Furniture Co.
Bay Minette, Alabama

Defendant.

TRANSFER

NOTICE OF ~~APPEAL~~

Returnable To The Circuit Court

OF BALDWIN COUNTY

Issued: September 22, 1970

Serve On: Sam Brown or Attorney Wilson Hayes Bay Minette, Alabama

VOL 68 PAGE 284

We the jury find for the plaintiff and assess the damages in the amount of $50.00

J. C. Kennedy
Foreman

FELTON ROBERTS, JR.,	*	IN THE CIRCUIT COURT OF
Plaintiff,	*	BALDWIN COUNTY, ALABAMA
VS	*	AT LAW
SAM BROWN,	*	
Defendant.	*	CASE NO. 9499

MOTION

Comes now the Plaintiff by his Attorney in the above styled cause and strikes the suffix, JR., appearing immediately following the Plaintiff's name, Felton Roberts, where that Name appears in the caption of the Complaint.

FOREMAN, BROWN & HUDGENS
Attorneys for the Plaintiff

By Claude D. Harrell
Claude D. Harrell

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24 day of November, 1970, 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.

Claude D. Harrell

FILED
NOV 25 1970
ALICE J. DUCK CLERK REGISTER

9499

FILED

SEP 24 1970

CLERK
REGISTER

88997
9/15

FELTON ROBERTS, JR.,	*	IN THE COURT OF GENERAL
Plaintiff,	*	SESSIONS, OF MOBILE COUNTY,
VS	*	ALABAMA
SAM BROWN,	*	
Defendant.	*	CASE NO:

COUNT ONE

Plaintiff claims of the Defendant THREE HUNDRED FIFTY AND NO/100 ($350.00) DOLLARS, as damages, for that heretofore and on, to-wit: the 13th day of July, 1970, the Plaintiff was driving his automobile at a place where it had a right to be on to-wit: on Hand Avenue at or near its intersection with Fifth Street both streets being public streets in Baldwin County, Alabama, and the Defendant did then and there negligently drive an automobile into, upon and against the automobile of the Plaintiff and as a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff's automobile was bent, broken, torn, twisted and greatly depreciated; hence this suit.

COUNT TWO

Plaintiff claims of the Defendant THREE HUNDRED FIFTY AND NO/100 ($350.00) DOLLARS, as damages, for that heretofore and on, to-wit, the 13th day of July, 1970, the Plaintiff was driving his automobile at a place where he had a right to be on to-wit: on Hand Avenue at or near its intersection with Fifth Street both streets being public streets in Baldwin County, Alabama, and the Defendant did then and there willfully or wantonly damage the Plaintiffs automobile by willfully or wantonly driving another automobile into, upon and against the automobile of the Plaintiff at said time and place and as a direct and proximate result of the willful or wanton conduct of the Defendant in the operation of the automobile he was driving as aforesaid the Plaintiff's automobile was greatly damaged in that it was bent, broken, torn, twisted and greatly depreciated; hence this suit.

FOREMAN, BROWN & HUDGENS
Attorneys for the Plaintiff

COURT OF GENERAL SESSION
AUG 4 8 30 AM '70

By Claude D. Harrell
Claude D. Harrell

Serve Defendant:

Sam Brown
Standard Furniture Co.
Bay Minette, Alabama

GS-B9—15M—

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Sam Brown

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 15 day of September, 19 70 at the hour of 9:00 A.M., then and there to answer a complaint of Felton Roberts, Jr.

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this ..... day of AUG 5 1970, 19.....

Clerk of the Court of General Sessions of Mobile County.

Cause of Action .....

VOL 68 PAGE 280

COMPLAINT AND SUMMONS

Atty. for Plaintiff: Foreman, Brown & Hudgens

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 88997

Ret. September 15, 1970

Felton Roberts, Jr.

VS.

Sam Brown
Standard Furniture Co
Bay Minette, Ala.

Continued To

Executed by Service on

.....
Defendant

This ..... day ....., 19.....

Sheriff of Mobile County

By .....
Deputy Sheriff

FELTON ROBERTS, JR.	ß	IN THE CIRCUIT COURT
Plaintiff,	ß	BALDWIN COUNTY, ALABAMA
Vs.	ß	AT LAW
SAM BROWN,	ß	
Defendant.	ß	NUMBER: 9499

Comes now Defendant in the above styled cause and for answer to the Complaint says:

1. Not guilty.

Wilson Hayes
Attorney for Defendant

Defendant demands trial by Jury.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 17 day of Nov, 1970, 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, with first class postage prepaid.

FILED
NOV 18 1970
ALICE J. BUCK CLERK REGISTER

16-9-5M-6-70

COST BILL

ATTORNEYS FOR PLTF:— Foreman

General Sessions (Civil Div.) Court of Mobile, Mobile County Court House, Mobile, Ala.

Felton Roberts Jr.
Plaintiff

Sam Brown
Defendant

CASE NO. 88997

Garnishee

COURT FEES

Summons and proceedings thereon to judgment	$1.00
Docketing each cause	.10
Law Library Fee	1.00
Garnishment	
TOTAL	$

SHERIFF'S FEES

Levying Attachment	6.00
Entering and returning same	.25
Summoning Garnishee and making return	1.50
Serving Summons and other mesne process, and returning the same	1.50
Collecting execution for costs only	1.50
Serving any summons not herein provided for, and making return	1.50
TOTAL	$

GRAND TOTAL $ 6.35

I respectfully call your attention to the above Court Cost Bill which if not paid by _____, 19_____, it will be my unpleasant duty to issue execution on your property for the recovery of the same.

J. D. Richardson, Clerk

Felton Roberts vs. Sam Brown 9499

JURY LIST - JULY SESSION CIVIL TERM, 1971 - JULY 12, 1971

1. Andrews, Guy C., Natural Gas Co, 410 5th St., Bay Minette, Ala.
2. ~~Arnette, Opal, Housewife, Rt. 2, Bay Minette~~ P1 P2
3. Bigham, William, Retired Serviceman, P. O. Silverhill
4. ~~Chandler, Ace, R.E.A., Silverhill, Robertsdale~~ D6
5. ~~Childress, J. Bruce, Fisherman, Rt. 3, Foley~~ D8
6. Cooper, James I, Merchant, P. O. Box., Silverhill
7. ~~Davison, Johnnie Mae, Cafe Operator, Robertsdale,~~ D7
8. ~~Dickman, Peggy T., Housewife, Brady Rd., Bay Minette~~ P4
9. Eddins, Rachael, Housewife, Hurricane Rd., Bay Minette
10. ~~Gandy, Bobby Carol, Housewife, Bay Minette~~ P5
11. ~~Gandy, Tom, Gulf Lumber Co., Stockton Hwy, Bay Minette.~~ D10
12. Hart, Jerry B., Faulkner State University 400 Mixon Ave., Bay Minette
13. ~~Hogan, C. J., Furniture Store, 117 W. 12th St., Bay Minette~~ P9
14. Hollinger, Louise B., Board of Education, Bay Minette
15. ~~Jones, Willie, Hogan Furniture, 1101 Lower St., Bay Minette~~ P1
16. Jones, Sanford, Retired, Pensacola Hwy., Bay Minette, Ala.
17. Kennedy, J. C., Insurance Agent, 603 E 6th Bay Minette
18. ~~Means, Henry, RTD., Cross Road, Bay Minette~~ P2
19. ~~Moorer, Lee Ella, Housewife, 412 Old Hurricane Rd., Bay Minette~~ P3
20. ~~Normand, Sage A., Entertainer Grand Hotel, Fairhope, Ala.~~ D12
21. Ponder, Ellis C., Mgr. Steber Chev., Point Clear, Fairhope
22. ~~Reid, Larry M., Kaiser Allum. Hwy 31 S. Bay Minette~~ P10
23. ~~Rider, Daniel T., Forester, Stapleton, Ala.,~~ D9
24. ~~Rider, Raymond D., Elec., 61 Mershon St., Fairhope~~ D1
25. ~~Riggs, Stephen S., Radio Sta. Opr., Fairhope~~ D2
26. ~~Rogers, Claude M., Insurance Salesman Cross Roads, Bay Minette~~ P12
27. ~~Sheldon, Edwin, Brick Layer 553 Mobile St., Fairhope, Ala.~~ D3
28. ~~Slaughter, June M., Nurse Bay Minette Inf., Tensaw, Ala.~~
29. Watts, Evelyn K., Civil Defense, 101 Banyan St., Bay Minette
30. ~~Wiggins, James, Merchant, Stapleton, Ala.~~ D11
31. ~~Overstreet, Earl A., Newport Pine Grove Rd. Bay Minette~~ D4
32. ~~Page, Glenn A., Jr. Insurance 802 E. 5th St. Bay Minette~~ P11
33. ~~Taylor, Bennie W., Office Staphens Acceptance Loan Co. 810 E. 9th St. Bay Minette~~
34. ~~Melton Mary D., Bay Slacks, Box 117 Stapleton, Ala.~~ P8
35. Dean, Joh, Clk, Bald. Co. Tax Collector, Stapleton
36. ~~Ryan, Kathleen E., Housewife, Hwy 31 S. Bay Minette.~~
37. Kennedy, Eloise D., Housewife, 603 E. 6th St. Bay Minette
38. ~~Vick, Mary K., Cash, Greer Gro 600 W. 7th St. Bay Minette~~
39. ~~Miller, Harold J., Jr. 6 White Ave. Fairhope~~ D5
40. ~~McMillan, Minnie Lou, Widow, Stockton, Alabama~~ P6

36
12
24 42

P XXXXX XXXXX XX - 12

D XXXXX XXXXX XX - 12

G S B-11—1M—6-64

TRANSFER

NOTICE of ~~APPEAL~~

STATE OF ALABAMA,
MOBILE COUNTY

Felton Roberts, Jr.

Plaintiff

VS.

Sam Brown

Defendant

To Sam Brown

in said Cause: Felton Roberts, Jr. VS Sam Brown

You are hereby notified that

FeltonRoberts, Jr.

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, ~~appeal from judgment of~~ from the COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of ~~Mobile~~ Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 22 day of September 19 70

Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 88997

Felton Roberts, Jr.

Plaintiff,

VS

10/2

Sam Brown
Standard Furniture Co.
Bay Minette, Alabama

Defendant.

TRANSFER

NOTICE OF ~~APPEAL~~

Returnable To The Circuit Court
OF BALDWIN COUNTY

Issued: September 22, 1970

Serve On: Sam Brown or Attorney Wilson Hayes Bay Minette, Alabama

RECEIVED SHERIFF DEPT
MOBILE COUNTY, ALA.
OCT 6 9 05 AM '70

RECEIVED SHERIFF DEPT
MOBILE COUNTY, ALA.
SEP 22 4 49 PM '70

BY

Received 28 day of Sept 19 70
and on 2 day of Oct 19 70 I served a copy of the within Notice of Transfer
Sam Brown
on
By service on
TAYLOR WILKINS Sheriff
By W. B. Gilliland D.S.

20
2
19
95

call

ask what #

9499

WILSON HAYES
LAWYER
P. O. BOX 300
BAY MINETTE, ALABAMA
36507

TELEPHONE 937-5506

September 15, 1970

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Please file the enclosed pleading in the case of Felton Roberts, Jr. V Sam Brown:

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms
Enc.