IRBY AND POGGI
ATTORNEYS AT LAW
305 NORTH SECTION STREET
FAIRHOPE, ALABAMA 36532

SAMUEL W. IRBY
FRANCIS A. POGGI, JR.

MAILING ADDRESS
P O DRAWER B
TELEPHONE 928-8285
AREA CODE 205

February 1, 1973

Eunice B. Blackmon
P. O. Box 239
Bay Minette, Alabama 36507

Dear Eunice:

As you know, Dan Robison is no longer practicing law in this area. Please place Irby and Poggi as attorneys of record on the following cases that were turned over to us by Dan.

Dr. D. K. Cooper -vs- J. Wade	Case No. 10,156
Farmers & Merchants Bank -vs- Clifford McLain & Louise McLain	Case No. 10,366
Donald Gaar, d/b/a/ Foley Auto Parts -vs- Jaye Truck Lines, Inc.	Case No. 10,346
Jerry Hance, d/b/a/ Magnolia Springs Garage -vs- Laura Williams	Case No. 10,348
Kenneth Totsch, d/b/a/ Totsch Boat Works -vs- Donald Forsyth	Case No. 10,132
Jerry Hance, d/b/a/ Magnolia Springs Garage -vs- Ralph Dubuison	Case. No. 10,349
Baptist Hospital -vs- Fannie Mae Walden	Case No. 10,373
La Rue Flying Service, Inc. -vs- John R. Childress	Case No. 9,469

FILED

FEB 2 1973

EUNICE B. BLACKMON CIRCUIT CLERK

Jerry Hance, d/b/a/ Magnolia Springs Garage -vs- Rodney Carver	Case No. 10,346
George W. Markham, Sr. and Randall Markham, d/b/a/ George Markham & Sons Signs -vs- H. Rowland Clifton	Case No. 10,458
Foley Tractor Co., Inc -vs- Paul L. Bonnell	Case No. 9,215
La Rue Flying Service -vs- Henry King	Case No. 9,615
Eddie Sweat -vs- John A. McDuffie	Case No. 9,455

If you have any questions concerning this matter, please do not hesitate to call.

Yours very truly,

Sam W. Libby

For the Firm

SWI/akb

FILED

FEB 2 1973

EUNICE B. BLACKMON CIRCUIT CLERK

LA RUE FLYING SERVICE, INC.	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	
HENRY KING,	)	
Defendant.	)	CASE NO. 9615

ORDER

On this day came before this Court the Plaintiff, La Rue Flying Service, Inc., acting through its attorney of record, Daniel E. Robison, who on verified affidavit moved to set aside a Sheriff's Sale requested by the Plaintiff on the grounds that said Sheriff's sale was invalid from its inception as the property conveyed was not the property of the Defendant, Henry King. After considering said sworn petition, it is,

ORDERED, ADJUDGED AND DECREED, that the Sheriff's Sale on August 7, 1972, wherein certain real estate was sold to satisfy the judgment against Henry King, to-wit:

Lot 12 of Block 5, West Canal Pines, Gulf Shores, Alabama, with four room block house.

And

Lot 13 of Block 5, West Canal Pines, Gulf Shores, Alabama.

is hereby declared to be set aside and is to be null and void, and the Sheriff's Department is to contact the purchaser of said property and to refund his purchase price, and the cloud on this title is to be removed, with costs being taxed to the Plaintiff, La Rue Flying Service, Inc.

DONE on this the 30th day of August, 1972.

Telfair J. Mashburn, Circuit Judge

FILED

AUG 30 1972

EUNICE B. BLACKMON CIRCUIT CLERK

STATE OF ALABAMA)
BALDWIN COUNTY) TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon HENRY KING, ROUTE 3, FOLEY, ALABAMA, to appear within thirty days after the service of this summons in the Circuit Court to be held for said County, then and there to demur or plead to the complaint of La Rue Flying Service, Inc.

Witness my hand this 21 day of Dec 19 70

Alice J. Duck
Clerk

* * * * * * * * * * * * * * * *

LA RUE FLYING SERVICE, INC.	)	
AN ALABAMA CORPORATION,	)	IN THE CIRCUIT COURT OF
Plaintiff	)	BALDWIN COUNTY, ALABAMA
v.	)	AT LAW
HENRY KING,	)	NO 9615
Defendant	)	

COMPLAINT

The Plaintiff claims of the Defendant, Henry King, Eight hundred and ninety-six and 90/100ths Dollars($896.90), due from the Defendant by account from the 30th day of June, 1970, which sum of money with interest thereon is still unpaid.

Daniel E. Robison
Daniel E. Robison
Plaintiff's Attorney

FILED
DEC 21 1970
ALICE J. DUCK CLERK REGISTER

No. 9615

La Rue Flying Service

vs.

Henry King

FILED

DEC 21 1970

ALICE J. BROOK CLERK REGISTER

D. Robinson

Sheriff claims 73 miles at

Ten Cents per mile Total $ 22

TAYLOR WILKINS, Sheriff

BY _____ DEPUTY SHERIFF

Received 21 day of Dec 1970

and on 13 day of Jan 1971

I served a copy of the within SAC

on Henry King

By service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

CH

No. 9615

La Rue Flying Service

vs.

Henry King

FILED

DEC 21 1970

ALICE J. BUCK CLERK REGISTER

Received 21 day of Dec. 19 70

and on 23 day of Jan 19 71

I served a copy of the within SUC

on Henry King

By service on

TAYLOR WILKINS, Sheriff

By Lerlie Johnson D. S.

Sheriff claims 3 miles at

Ten Cents per mile Total $ 3

TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

LA RUE FLYING SERVICE, INC.	)	
AN ALABAMA CORPORATION,	)	IN THE CIRCUIT COURT OF
Plaintiff	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
HENRY KING,	)	NO. 9615
Defendant	)	

AMENDMENT TO COMPLAINT FILED PRIOR

Comes now the Plaintiff in the above styled cause and asks leave of this Honorable Court to amend his complaint filed heretofore, by deleting the words: "Eight hundred and ninety-six and 90/100ths Dollars($896.90),"

and inserting the following:

"Five hundred and ninety-six and 90/100ths Dollars($596.90)"

Daniel E. Robison

Daniel E. Robison
Attorney for the Plaintiff

STATE OF ALABAMA)

BALDWIN COUNTY)

VERIFICATION OF ACCOUNT

Before me, the undersigned authority on this day personally appeared Dorothy LaRue known to me, who being by me duly sworn states on oath that the foregoing and annexed account in favor of LaRue Flying Service against Henry King for the sum of $596.90 is within the knowledge of affiant, just and true; that it is due and unpaid and that all lawful offsets, payments and credits have been allowed.

Dorothy LaRue
Affiant

Subscribed and sworn to before me this 29 day of September 1971.

Daniel C. Robison
Notary Public

My Commission Expires
January 28, 1975

AG CUSTOMER LEDGER

CUSTOMER King, Henry

CREDIT LIMIT _____ ADDRESS Rt. 3

LEGAL DESCRIPTION _____ Quarter of Section, _____ Township, Foley Range, Ala. County

JOB NUMBER	DATE 1965	REMARKS	CHEMICAL USED	CROP TREATED	No. ACRES TREATED	DEBITS	CREDITS	BALANCE
	8-17	Bal. Brot. Fwd						71 00
8940	8-18	2.00 @ acre		beans	27	54 00		125 00
9044	8-24	2.50 " "		"	10	25 00		150 00
9522	9-14	2.00 " "		"	40	80 00		230 00
9816	10-3	2.50 " "		"	48	120 00		350 00
9875	10-15	2.00 " "		"	27	54 00		404 00
9916	10-27	2.50 " "		peas	8	20 00		424 00
10022	11-21	Check					200 00	224 00
	1967							
10407	5-2	1.75 @ acre		peas	60	165 00		329 00
10738	6-6	2.50 " "		"	63	157 50		486 50
10959	7-14	Check					300 00	186 50
11700	9-19	2.00 @ acre		peas	63	157 50		344 00
11899	10-13	2.75 " "		"	36	99 00		443 00
12067	12-6	3.50 " "		greens	20	70 00		513 00
	1968							
12130	1-17	Check					100 00	413 00
12854	6-11	3.00 @ acre		peas	55	165 00		578 00
13229	8-6	Check					100 00	478 00
13744	9-7	2.50 @ acre		beans	36	90 00		568 00
13909	9-17	2.50 " "		peas	25	62 50		630 50
13916	9-18	2.50 " "		"	25	62 50		693 00
	10-30	Transferred from King Bros.				91 00		784 00
	1969							
14425	2-7	Check					100 00	684 00
14849	5-23	3.00 @ acre		peas	25	75 00		759 00
		Crow on ticket # 11700				31 50		790 50
15373	7-5	3.00 @ acre		peas	27	81 00		871 50
15547	8-9	Check					100 00	771 50
16009	9-4	2.00 @ acre		beans	30	60 00		831 50
				TOTALS				

AG CUSTOMER LEDGER

CUSTOMER _____

CREDIT LIMIT _____ ADDRESS _____

DESCRIPTION _____ Quarter of Section, _____ Township, _____ Range, _____ County

OB MBER	DATE 1970	REMARKS	CHEMICAL USED	CROP TREATED	No. ACRES TREATED	DEBITS	CREDITS	BALANCE
		Bal. Brot. Fwd.						83150
798	4-27	Interest for 4 mos.	@ 1½			4992		88142
904	5-7	2.00 @ acre		Peas	72	14400		102542
934	6-30	Interest for 2 mos.	" "			2496		105038
323	7-23	Check					20000	85038
979	10-25	Interest 6 mos.				4652		89690
	1970							–
	1-20	Check					30000	59690

TOTALS

FEIBELMAN & SILVER
ATTORNEYS AT LAW
2103 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.
IRVING SILVER
DANIEL E. ROBISON

P. O. BOX 2082
TELEPHONE 205 433-1597
205 438-9717

August 28, 1972

Clerk of the Court
Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

Dear Eunice:

Please deliver this motion and order to Judge Mashburn.

Very sincerely yours,

Daniel E. Robison

DER/mp

Encl.

CC: Mr. Tom Byrd
Baldwin County Sheriff's Department
Bay Minette, Alabama

LA RUE FLYING SERVICE, INC.,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	
HENRY KING,	)	
Defendant.	)	CASE NO. 9615

MOTION TO SET ASIDE SHERIFF'S SALE

Comes now the Plaintiff and files this his motion through his attorney, Daniel E. Robison, who swears and avers the following:

1. That on the 24th day of September, 1971, La Rue Flying Service obtained a default judgment against Henry King in the Circuit Court of Baldwin County, in the amount of Six Hundred Fourteen and 81/100 ($614.18) Dollars, together with Twenty-Three and 70/100 ($23.70) Dollars as court costs.

2. That in order to satisfy this judgment a levy of execution was sent out by the Court on certain real estate described by the Plaintiff, he believing that it was owned by the Defendant, Henry King, the description of said real estate being, to-wit:

> Lot 12 of Block 5, West Canal Pines, Gulf Shores, Alabama, with four room block house.

And

> Lot 13 of Block 5, West Canal Pines, Gulf Shores, Alabama.

3. That there was confusion by the Plaintiff between property owned by Henry A. King, and Henry H. King, and that said property described was incorrect and was not owned by the Defendant in this action.

4. That on August 7, 1972, at 12:00 noon, this property was sold at Sheriff's Sale to a passer-by.

5. That the property so sold at Sheriff's Sale was not owned by the Defendant and was wrongfully sold.

WHEREFORE, the premises considered, the Plaintiff moves to set aside the Sheriff's Sale held on August 7, 1972, wherein the above described property was sold to a passer-by as this property was not, and never had been, property owned by the Defendant, Henry King.

Daniel E. Robison

Daniel E. Robison

STATE OF ALABAMA)
COUNTY OF MOBILE)

Before me, the undersigned Notary Public says Daniel E. Robison after being duly sworn doth depose and say that he is the affiant for the above petition and that he has personal knowledge of the facts therein and that the same are true and correct to the best of his knowledge, information, and belief.

Daniel E. Robison

Daniel E. Robison

Sworn to and subscribed to before me
on this the 25th day of August, 1972.

Catherine B Mitchell
Notary Public

FILED

AUG 2 9 1972

EUNICE B. BLACKMON CIRCUIT CLERK

FILED

AUG 29 1972

EUNICE B. BLACKMON CIRCUIT CLERK