

THOMAS K. LEE and ELOISE P. LEE,)	IN THE CIRCUIT COURT OF
)	
Plaintiffs,)	BALDWIN COUNTY, ALABAMA
)	
vs.)	AT LAW
)	
GEORGE McINVALE, d/b/a GEORGE'S)	
HEATING AND AIR CONDITIONING,)	
)	
Defendant,)	
)	
HOWARD AIR CONDITIONING,)	
)	
Garnishee)	CASE NO. 9649

NOTICE OF CONDITIONAL JUDGMENT

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETINGS:

WHEREAS, the following judgment was rendered in this cause on the date therein indicated, to-wit: the 14th day of December, 1971,

Comes the plaintiff, by attorney, and moves for conditional judgment against the above named garnishee; and it appearing to the Court that on the 14th day of December, 1971, the plaintiff recovered a judgment against the defendant for the sum of Nine Hundred Dollars (\$900.00), and costs of suit, and that the writ of garnishment on said judgment was duly issued in this cause by the Clerk of this Court, and duly served upon said garnishee, and that said garnishee has failed to file answer thereto within the time required by law; and after proper credit given to any payment on the judgment;

IT IS, THEREFORE, considered by the Court that the plaintiff have and recover of said garnishee the sum of Four Hundred Dollars (\$400.00) and the costs herein accrued, unless within thirty (30) days of notice of the rendition hereof, the said garnishee appear and show cause why this judgment should not be made final and absolute.

DONE this the 13th day of December, 1972.

J. Blair J. Marshall
Judge

You are therefore commanded to make known the premises to said garnishee and that said garnishee be and appear at said Court

FILED

DEC 13 1972

EUNICE B. BLACKMON, CLERK

Bay Minette, Ala., 12/13 1922

To the Sheriff of Mobile County, Mobile, Alabama

I enclose herewith Notice of Conditional Judgement To be served on Howard Air Conditioning, 7713 Lakeside Dr. Mobile BY _____

Please serve and return as early as possible.

Joy La Welkins

Sheriff, Baldwin County, Alabama

(If not found in your county, please advise promptly giving information as to present location if possible)

Bay Minette, Ala.,

March 6 1972

To the Sheriff of

Mobile

County,

Mobile

Alabama

I enclose herewith

A Writ & Notice for
service on (Writ - Howard Orr
Conditioning, 713 Lakeside Dr. Mobile)
(Notice - George McInnis, d/b/a
George's Heating & Air Conditioning)
Please serve and return as early as possible.

9649 1/2

[Signature]
Sheriff, Baldwin County, Alabama

(If not found in your county, please advise promptly giving information as to present location if possible)

at the place of holding same within thirty (30) days after notice thereof and show cause why said judgment should not be made final and absolute, and have you then and there this writ with your endorsement thereon.

WITNESS my hand this the 13th day of December, 1972.

James B. Blackburn
Clerk

J. Jackson 9649 1/2 Mail
C. Bled. Co. #9727

Thomas K. Lee et al
vs. Pity

George McElwale

12-18X Dept.
Mrs. Stevens, Bkpr.
Howard Air Conditioning
713 Lakeside Dr. Gainesville

Notice of Conditional
Judgment

Received 14 Day of Dec. 19 22
and on 18 Day of Dec. 19 22
I served a Copy of the within Notice
on Howard Air Conditioning
by service on Mrs. Stevens,
Bookkeeper

RAY D. BRIDGES, Sheriff
By J. Jackson D. 2

Chason & Lindeword

DEPT. OF SHERIFF DEPT.
MOBILE COUNTY, ALA.
DEC 14 8 51 AM '72
BY

STATE OF ALABAMA

Baldwin County

TO George McInvale, d/b/a George's Heating & Air Conditioning
....., Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

..... Thomas K. Lee & Eloise P. Lee Plaintiff.....
versus George McInvale, d/b/a George's Heating & Air Conditioning... Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

..... Howard Air Conditioning Inc. 713 Lakeside Drive, Mobile, Ala.

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

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

2nd day of ~~Feb~~ March 1972.....

Emilio B. Blackmon
.....
Clerk of the Circuit Court.

NOTICE
TO DEFENDANT OF GARNISHMENT
BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
TO

.....
GEORGE McInVale
.....
.....
.....

.....Thomas.K....Lee.&Elaise.P....Lee.....
Plaintiff.....

VS.

.....GEORGE McINVALLE d/b/a.....
.....
.....
.....
.....
.....

Defendant.....

Thomas Underwood

EXECUTED
This 8 day of March, 1972
by serving a copy of the within on
Geo McInVale
By J. Jackson RAY D. BRIDGES, Sheriff
D.S.

MAR 6 1972

JAYSON VERNERS
SHERIFF

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19....., of the Circuit Court of Baldwin County, to-wit: On the21st..... day of December....., 19..71., being a regular day of said term, THOMAS K. LEE and ELOISE P. LEE

recovered judgment againstGEORGE MCINVALE, d/b/a GEORGE'S HEATING AND.....
AIR CONDITIONING.....

for the sum of Nine Hundred and no/100 ----- Dollars, and cost of suit, and affidavit having been made by THOMAS K. LEE that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

HOWARD AIR CONDITIONING, INC.

713 Lakeside Drive

Mobile, Alabama

has or is believed to have inits..... possession, or underits..... control money or effects belonging to said defendant or thatit..... 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, or 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

HOWARD AIR CONDITIONING, INC.

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 makingits..... answer, or at any time intervening the time of serving the garnishment, and making the answerit..... was indebted to said defendant and whetherit..... will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existingit..... 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 whetherit..... has not inits..... possession or underits..... control money or effects belonging to the defendantGEORGE MCINVALE.....

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

Eunice B. Blackmon
Witness, ~~ALICE J. DICK~~, Clerk of said Court, this.....2..... day of March A. D., 1922

Issued2..... day of March A. D., 1922

ATTEST:

Eunice B. Blackmon Clerk.

REC'D. BALDWIN
MOBILE COURT

MAR 7 9 11

BY

Received 7 Day of March 1972
and on 8 Day of March 1972
I served a Copy of the within Summons
on Edward W. Caudle, Jr.
by service on Mrs. J. Turner, R.K.

RAY D. BRIDGES, Sheriff
By [Signature] D. S.

AA 9177

CIRCUIT COURT, BALDWIN COUNTY

No. 964912

Thomas H. Lee +
Clair P. Lee

VS.

GARNISHMENT ON JUDGMENT

George M. Silvale
d/b/a -

Edward W. Caudle, Jr. B.S.

Issued 2 day of March 1972

Returnable day of 19

MAR 6 1972

Marion Underwood
Attorney

DIAMOND AND LATTOF

LAWYERS

VAN ANTWERP BUILDING

P. O. BOX 432

MOBILE, ALABAMA 36601

ROSS DIAMOND, JR.
MITCHELL G. LATTOF
ROSS DIAMOND, III
J. CECIL GARDNER

TELEPHONE
AREA CODE 205
432-6691

January 22, 1973

Hon. Eunice Blackmon
Circuit Clerk, Baldwin County
Baldwin County Court House
Bay Minette, Alabama

Re: Thomas K. Lee and Eloise P. Lee vs.
George McInvale
Howard Air Conditioning, Garnishee
Case No. 9649

Dear Mrs. Blackmon:

Enclosed please find the answer of the Garnishee in the above styled cause. A copy of this answer was mailed to Hon. Thomas W. Underwood, Jr., on January 10, 1973. The original is delayed in transmittal to you because it was accidentally mailed to the Baldwin County Probate Court.

Very truly yours,

DIAMOND AND LATTOF



Mitchell G. Lattorf

MGL/at

cc: Hon. Thomas W. Underwood, Jr.
Attorney at Law
Foley, Alabama

THOMAS K. LEE and ELOISE
P. LEE,

Plaintiffs,

-vs-

GEORGE McINVALE, d/b/a
GEORGE'S HEATING AND AIR
CONDITIONING,

Defendant,

HOWARD AIR CONDITIONING,

Garnishee

*

*

*

*

*

*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9649

ANSWER OF GARNISHEE

Personally appeared before me, the undersigned Notary Public in and for said State and County, Howard F. Mathis, III, who, on oath, answers to the writ of garnishment issued in this cause and served on Howard Air Conditioning, Inc., the garnishee, and says that he is duly authorized to make this answer, that he has knowledge of the facts stated herein, and that the said garnishee is indebted to the defendant at the time of the service of this garnishment and will continue to be indebted to the defendant, from time to time, so long as the defendant remains in the employment of the garnishee, and that the garnishee is withholding from the wages of the defendant the amount required to be withheld by law and will continue to withhold the amount permitted by law until the said judgment and costs are recovered or until the defendant's employment is terminated, whichever event first occurs, and that the said garnishee will not be indebted in the future to the said defendant by a contract existing at the time of the garnishment in making this answer, and that the garnishee does not have in its possession or under its control any personal or real property, or things in action, belonging to said defendant.

Howard F. Mathis, III
Howard F. Mathis, III

Subscribed and sworn to before

me, this 8th day of January, 1973.


Mitchell G. Lattof
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

DIAMOND AND LATTOF
Attorneys for Garnishee
P. O. Box 432
Mobile, Alabama 36601

By Mitchell G. Lattof
Mitchell G. Lattof

FILED

JAN 23 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

HOWARD

AIR CONDITIONING, INC.

713 LAKESIDE DR.

P. O. BOX 9104

PHONE 473-5820

MOBILE, ALABAMA 36609

March 28, 1972

Mrs. Eunice B. Blackmon, Circuit Clerk
Baldwin County
Bay Minette, Alabama 36507

Dear Mrs. Blackmon,

We have been advised by Mr. George McInvale that the judgement issued to him by Mr. Thomas K. Lee, # 9649½ has been settled between Mr. Invale and Mr. Lee.

Please advise if there is any difference.

Very Truly Yours,

Mrs. Carol Stevens

Carol Stevens
Bookkeeper

FILED

MAR 29 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CHASON & UNDERWOOD

Attorneys at Law

CECIL G. CHASON
THOMAS W. UNDERWOOD, JR.

P. O. DRAWER 458
216 W. LAUREL AVENUE
FOLEY, ALABAMA 36535
PHONE 205/943-3171

July 17, 1972

Howard Air Conditioning
713 Lakeside Drive
Mobile, Alabama

Re: Lee vs. McInvale
Case No. 9649 $\frac{1}{2}$

Gentlemen:

As the employer and garnishee of George McInvale, the defendant in the above styled case in which Thomas K. Lee is the plaintiff, I give you written notice that George McInvale owes the balance of \$400.00, plus interest and court costs on the judgment. We have given him credit for \$500 for the additional work he did for Mr. Lee after the judgment and writ of garnishment were filed. However, he has not paid the judgment in full and we expect you to begin withholding twenty per cent of Mr. McInvale's take-home pay and sending these payments to me.

Sincerely yours,



T. W. Underwood, Jr.

TWU, Jr/jc

cc: Mrs. Eunice Blackmon
Clerk of Court

Mr. Thomas K. Lee

C
O
P
Y

THE STATE OF ALABAMA

Baldwin County

Circuit Court

9649 1/2

Eunice B. Blackmon

Personally appeared before me, ~~Alex J. Duck~~, Clerk of the Circuit Court in and for Baldwin County and State

aforesaid THOMAS K. LEE

who being duly sworn, on oath says, that a regular Term

of the Circuit Court of Baldwin County, to-wit: on the 21st day of December

19 71 THOMAS K. LEE and ELOISE P. LEE

recovered a judgment against GEORGE McINVALE d/b/a GEORGE'S HEATING AND AIR

CONDITIONING for the sum of

Nine Hundred Dollars----- Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

HOWARD AIR CONDITIONING, INC.

713 Lakeside Drive, Mobile, Alabama

supposed to be indebted to or have effects of the said GEORGE McINVALE

in its possession, or under its Control, and that he believes process of

Garnishment against said HOWARD AIR CONDITIONING, INC.

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 23 RD

day of February A. D. 19.72

Thomas W. Underwood, Jr.

Thomas K. Lee

NO.

Circuit Court

vs.

A F F I D A V I T G A R N I S H M E N T O N J U D G M E N T

Filed this day of

....., 19.....

.....
Clerk.

MOORE PRINTING CO. - BAY MINETTE, ALA.

CHASON & UNDERWOOD

Attorneys at Law

CECIL G. CHASON
THOMAS W. UNDERWOOD, JR.

P. O. DRAWER 458
216 W. LAUREL AVENUE
FOLEY, ALABAMA 36535
PHONE 205/943-3171

February 18, 1972

Mrs. Eunice B. Blackmon
Clerk of Court
Bay Minette, Alabama

Re: Lee vs. McInvale
Case No. 9649

Dear Eunice:

Enclosed are affidavit and garnishment on judgment
in the case mentioned above.

Sincerely yours,



Thomas W. Underwood, Jr.

TWU, Jr/jc
Enc.

I fail to know this gentlemen's signature, so will you please witness this or
have a notary to sign.

