

TRANSFER
NOTICE of APPEAL

STATE OF ALABAMA, }
 MOBILE COUNTY }

ANDREW DEES

Plaintiff

VS.

ANNIE RUTH SMITH GRAY, ETC.

Defendant

To ANNIE RUTH SMITH GRAY, ETC.

in said Cause:

You are hereby notified that ANDRE DEES

the PLAINTIFF in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Ala. ~~XXXXXX~~ PAUL W. BRIDGSON

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 Baldwin County ~~Mobile County~~, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 27 day of January 19 71

J. D. Richardson
 Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 90648

ANDREW DEES

Plaintiff,

VS

ANNIE RUTH SMITH GRAY, ETC.

Defendant.

TRANSFER

~~XXXXXX~~
NOTICE OF APPEAL

Returnable To The Circuit Court of
Baldwin County

Issued: January 27, 1971

Serve On: ANNIE RUTH SMITH GRAY
Rt. 1, Box 304-A
Foley, Alabama

Received 3 day of July 19 71
and on 15 day of August 19 71

I served a copy of the within Not. of Transfer
on Annie Ruth Smith Gray

By service on _____

TAYLOR WILKINS, Sheriff

By Robert D. Grace D. S.

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

JAN 27 4 42 PM '71

BY _____

Sheriff claims _____ miles at _____

Ten Cents per mile Total \$ 72.1

TAYLOR WILKINS, Sheriff

BY _____

DEPUTY SHERIFF

CR

FOREMAN, BROWN & HUDGENS
ATTORNEYS AT LAW
SUITE 210 VAN ANTWERP BUILDING
MOBILE, ALABAMA
36602

ALEXANDER FOREMAN, JR. (1914-1966)
ALTON R. BROWN, JR.
A. NEIL HUDGENS
PETER V. SINTZ
JOHN D. RICHARDSON, III
CLAUDE D. HARRELL
J. GEORGE WHITFIELD, JR.

AREA CODE 205
432-2792

August
18th
1971

Mrs. Eunice Blackmon, Clerk
Baldwin County Courthouse
Bay Minette, Alabama

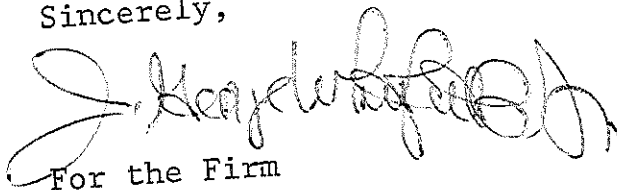
Re: Andrew Dees vs. Annie Ruth Smith Gray
Circuit Court Case Number 9665
Our File Number - 70-6172-GW

Dear Mrs. Blackmon:

The above styled case has been settled between the parties and,
therefore, we respectfully request that same be dismissed.

We enclose Chason & Underwood Profession Account check number 495
in the amount of \$37.25 in payment of costs.

Sincerely,



For the Firm

J
G
W
/
cb

Encl.

ANDREW DEES	)	IN THE CIRCUIT COURT OF
)	
Plaintiff	)	BALDWIN COUNTY, ALABAMA
)	
VS.	)	AT LAW
)	
ANNIE RUTH SMITH GRAY,)	
)	
A, B, C, et.al.)	
)	
DEFendants	)	Case No. 9665
)	

Special Plea

Now comes Annie Ruth Smith Gray and files this her special plea to the complaint herein filed and to each count thereof separate and severally and says:

That the damages sued for has been paid to the plaintiff by the defendant and further that on the 7th day of October, 1970, the defendant executed a release to the defendant from any and all damages both property and personal growing out of said collision, the basis of this suit and copy of said release is hereto attached marked Exhibit "A" and made a part of this special plea as if fully setout herein.

Arthur C. Epperson
Attorney for the Defendant

I hereby certify that I have this day mailed a copy of the foregoing plea, properly addressed, postage prepaid to the Hon. J. George Whitfield, Jr., % Foreman, Brown, & Hudgens Attorneys at Law, Suite 210 Van Antwerp Bldg., Mobile, Ala., Attorney for the plaintiff. This the 12th day of June, 1971.

Arthur C. Epperson
Attorney for the Defendant

FILED

JUN 15 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

EXHIBIT "A"

STATE OF ALABAMA

SETTLEMENT AND RELEASE

BALDWIN COUNTY

WHEREAS, on the 18th day of July, 1970, Andrew Dees and Hollis Dees, husband and wife, were involved in an automobile accident with an automobile driven by Annie Ruth Gray on West Laurel Avenue in the City of Foley, Alabama, and

WHEREAS, as a result of this accident between the vehicle driven by Andrew Dees in which Hollis Dees was a passenger, and the vehicle driven by Annie Ruth Gray, the said Andrew Dees suffered property damages to his vehicle and the said Hollis Dees sustained personal injuries, and

WHEREAS, the said Annie Ruth Gray and her husband, John Edward Gray, have executed a promissory note in the sum of \$525.00 in favor of the said Andrew Dees and Hollis Dees, for the Purpose of compensating Andrew Dees and Hollis Dees in full for all damages sustained as a result of the automobile accident on July 18, 1970,

The said Andrew Dees and Hollis Dees, in consideration of \$525.00 evidenced by the above mentioned promissory note, hereby release the said Annie Ruth Gray from liability from any and all damages, both property and personal injuries, resulting from the automobile accident heretofore described in this instrument.

WITNESS the hands and seals of the parties on this the 3rd day of October, 1970.

WITNESS:

S/ Thomas W. Underwood, Jr.
S/ Dorothy M. Chason

s/ Andrew Dees
Andrew Dees

s/ Hollis Dees
Hollis Dees

FILED

JUN 15 1971

EUNICE B. BLACKMON CIRCUIT CLERK

90688
11-11
ANDREW DEES,

Plaintiff,

VS

ANNIE RUTH SMITH GRAY, A, B,
C, the persons, firms or
corporations, partnerships,
who were the owners of that
certain motor vehicle involv-
ed in a collision with the
Plaintiff's automobile on,
to-wit July 19, 1970, who are
unknown at the present time
but will be added by amend-
ment when ascertained, jointly
and individually,

Defendants.

* IN THE COURT OF GENERAL SESSIONS
* OF MOBILE COUNTY, ALABAMA
*

CASE NO. 9665

COUNT ONE

The Plaintiff claims of the Defendant THREE HUNDRED AND NO/100 (\$300.00) DOLLARS, as damages, for that heretofore and on, to-wit, the 18th day of July, 1970, the Plaintiff was driving his automobile at a place where it had a right to be, to-wit, on U. S. Highway 98, at or near its intersection of Cedar Street, both being public roads in the City of Foley, Baldwin County, Alabama and the Defendant did then and there negligently drive another 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

The Plaintiff claims of the Defendant THREE HUNDRED AND NO/100 (\$300.00) DOLLARS, as damages, for that heretofore and on, to-wit, the 18th day of July, 1970, the Plaintiff was driving his automobile at a place where it had a right to be, to-wit, on U. S. Highway 98, at or near its intersection of Cedar Street, both being public roads in the City of Foley, Baldwin County, Alabama and the Defendant did then and there willfully or wantonly damage the Plaintiff's 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

By *Claude D. Harrell*
Claude D. Harrell

Serve Defendant at:

Annie Ruth Smith Gray
Route 1 Box 304-A
Foley, Alabama

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOORThe State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Annie Ruth Smith Gray, A, B, C, the persons, firms or corporations, partnerships, who were the owners of that certain motor vehicle ,etc.

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 17 day of November, 19 70 at the hour of 9:00 A.M., then and there to answer a complaint of Andrew Deas

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 OCT 2 1970, 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. 90648

Ret. November 17, 1970

Andrew Dees

VS.
Annie Ruth Smith Gray, A, C, C, etc.
Rt. 1, Box 304-A, Foley, Ala.

Continued To

Executed by Service on

Defendant

This day, 19.....

Sheriff of Mobile County

By
Deputy Sheriff

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 Annie Ruth Smith Gray, A. B. C., the persons, firms or corporations, partnerships, who were the owners of that certain motor vehicle ,etc.

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 17 day of November, 1970 at the hour of 9:00 A.M., then and there to answer a complaint of Andrew Dees

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.....

Clerk of the Court of General Sessions of Mobile County.

Cause of Action

86906
ANDREW DEES, * IN THE COURT OF GENERAL SESSIONS
Plaintiff, * OF MOBILE COUNTY, ALABAMA
VS. *
ANNIE RUTH SMITH GRAY, A, B, *
C, et. al. *
Defendants. * CASE NO. 90648

Now comes the defendant, ANNIE RUTH SMITH GRAY, a resident citizen of Baldwin County, and files this her special plea to the venue of this Court in the above styled cause to the complaint filed against her by the plaintiff on, to-wit: October 2, 1970, and says, that the plaintiff, cannot maintain said cause against her in this Court, the defendant enters this plea in said cause, for the only and sole purpose of pleading to the venue of this Court and says:

That the complaint shows on its face that the injury complained of occurred on a public highway in Baldwin County, Alabama; that the defendant, Annie Ruth Smith Gray, was and is a resident citizen of Baldwin County, Alabama; and was not and is not a citizen of Mobile County, Alabama, wherefore, defendant say's that the General Sessions Court of Mobile County, Alabama, is without venue in the premises.

Annie Ruth Gray

STATE OF ALABAMA
BALDWIN COUNTY

Before me Arthur C. Epperson, a Notary Public in and for the State of Alabama, at large, personally appeared ANNIE RUTH SMITH GRAY, one of the defendants in the above styled cause, who, being by me first duly sworn, says, on oath, that the facts set forth on the foregoing plea are true and correct.

Annie Ruth Gray

Sworn to and subscribed before me this 7th day of January, 1971.

Arthur C. Epperson
Notary Public, State of Ala.,
at large

COURT OF GENERAL
SESSION
JAN 11 11 35 AM '71

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 90648

<u>ANDREW DEES</u>	(	Filed:	October 1, 1970
Plaintiff,)		
	(	Summons Issued:	October 2, 1970
VS)		
	(	Returnable:	November 17, 1970
ANNIE RUTH SMITH GRAY, A,B,C,)		
the persons, firms or corporations,	(	Service Had:	December 11, 1970
partnerships, who were the)		
owners of that certain motor	(	Cause of Action:	Accident
vehicle involved in a)		
collision with the Plaintiff's	(	Attorney for Plaintiff:	Foreman, Brown & Hudgens
automobile, on to-wit July 19,)		
1970, who are unknown at the	(	Attorney for Defendant:	ARTHUR C. EPPERSON
present time but will be)		
added by amendment when	(
ascertained, jointly & individually)		

Amount of Claim: \$300.00

December 15, 1970 - for return

January 26, 1971 - for return

January 11, 1971 - Defendant's Plea to the Venue filed

January 26, 1971 - Transfer to Baldwin County

Paul W. Bunker

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 27 day of January, 1971.

J. D. Richardson

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

16-9-5M-6-70

COST BILL

FOREMAN, BROWN & HUDGENS
ATTORNEYS FOR PLTF:—

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

ANDREW DEES

Plaintiff

ANNIE RUTH SMITH GRAY, ETC.

Defendant

CASE NO. 90648

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 \$ 13.55

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

TRANSFER

NOTICE of APPEAL

STATE OF ALABAMA, }
MOBILE COUNTY }

ANDREW DEES

Plaintiff

VS.

ANNIE RUTH SMITH GRAY, ETC.

Defendant

To ANNIE RUTH SMITH GRAY, ETC.

in said Cause:

You are hereby notified that ANDREW DEES

the PLAINTIFF in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Ala. tained an appeal from the judgement therein rendered by PAUL W. BRIMSON, 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 Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 27 day of January 1971

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

Case No. 20648

FILED

FEB 3 1971

EUNICE B. BLACKMON
CLERK

ANDREW DEES

Plaintiff,

VS

ANNIE RUTH SMITH GRAY, ETC.

Defendant.

TRANSFER

NOTICE OF APPEAL

Returnable To The Circuit Court of
Baldwin County

Issued: January 27, 1971

Serve On: ANNIE RUTH SMITH GRAY
Rt. 1, Box 304-A
Foley, Alabama