

CIVIL COURT OF JEFFERSON COUNTY

516 COURTHOUSE

DAVID HAIGLER, Presiding Judge
ARNOLD DRENNEN, Associate Judge

Phone 323-5311
Exts. 278 - 279

Joan Anderson, Clerk
~~XXXXXXXXXXXXXXXXXXXX~~

Birmingham, Alabama 35203

March 23, 1971

Clerk, Circuit Court of Baldwin County
Bay Minette, Alabama

Dear Sir:

In Re: Case No. J-82966

Deaton, Inc.

vs.

Charles Hall

Enclosed you will find the Court file and a transcript of all the minutes, orders, and other proceedings in the above styled case, which is transferred by order of this Court, pursuant to Title 7, Sec. 64, p. 1, 1940 Code of Alabama, as amended (Act No. 76 in Special Session of 1961 Legislature, approved September 15, 1961).

Yours truly,


CLERK
Clerk,
Civil Court of Jefferson County

Enc.

Copies to: Markstein & Morris
512 Massey Building
Birmingham, Alabama

Taylor D. Wilkins, Jr.
P.O. Box 61
Bay Minette, Alabama 36507

FILED

MAR 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

DEATON, INCORPORATED,
a corporation,

PLAINTIFF,

VS

CHARLES HALL,

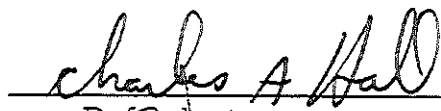
DEFENDANT.

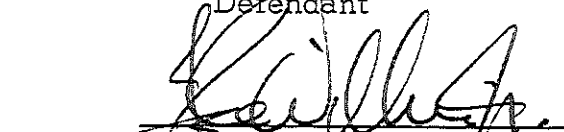
: IN THE CIVIL COURT OF
:
: JEFFERSON COUNTY, ALABAMA
:
: AT LAW
:
:
:
: CASE NO. J 82966

PLEA IN ABATEMENT

Comes now the Defendant in the above styled cause by his attorney, Taylor D. Wilkins, Jr., and makes his appearance in this cause specially and only for the purpose of making the following plea:

1. Plaintiff ought not to have and maintain the above styled cause for that Defendant is now and was at the time of the filing of this cause a resident citizen of Baldwin County, Alabama.
2. Plaintiff ought not to have and maintain its suit in this cause for that Defendant is not now and never has been a resident of Jefferson County, Alabama.
3. Plaintiff ought not to have and maintain its suit in the above styled cause for that Defendant resides in and has always resided in Baldwin County, Alabama, and that Plaintiff well knows this fact, that the said address given for service is Defendant's address in Baldwin County, Alabama.


Defendant


Attorney for Defendant

1. The first part of the document is a letter from the President of the United States to the Congress, dated December 15, 1970. The letter is signed by Richard M. Nixon and is addressed to the Senate and House of Representatives. The letter is a formal communication and is written in a clear, concise, and professional manner. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription.

2. The second part of the document is a letter from the President of the United States to the Congress, dated December 15, 1970. The letter is signed by Richard M. Nixon and is addressed to the Senate and House of Representatives. The letter is a formal communication and is written in a clear, concise, and professional manner. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription.

3. The third part of the document is a letter from the President of the United States to the Congress, dated December 15, 1970. The letter is signed by Richard M. Nixon and is addressed to the Senate and House of Representatives. The letter is a formal communication and is written in a clear, concise, and professional manner. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription.



STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Charles Hall, the Defendant in the above styled cause who, being known to me and being duly sworn, deposes and says:

I have read the foregoing plea in its entirety and know it to be true and without error.

Charles A Hall

Charles Hall

Sworn to and subscribed before me this the 14 day of December

1970.

[Signature]
Notary Public

CERTIFICATE OF SERVICE

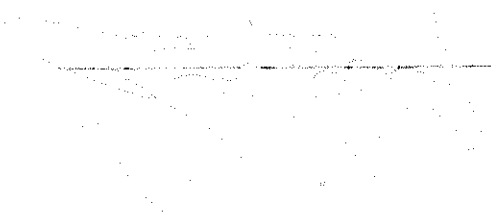
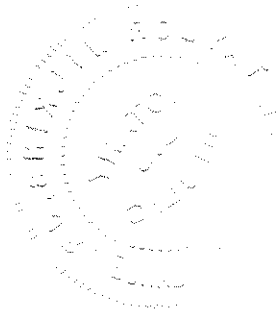
I do hereby certify that I have on this 14 day of Dec
1970 served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, with first class postage prepaid.

[Signature]

996288

NOTICE TO THE PUBLIC
The following information is being furnished to the public for their information.
It is requested that you contact the appropriate agency for further information.

MEMORANDUM FOR THE ATTORNEY GENERAL



RECEIVED BY THE ATTORNEY GENERAL

DATE: 12/15/70

BY: [illegible]

FOR THE ATTORNEY GENERAL

THE FOLLOWING INFORMATION IS BEING FURNISHED TO THE PUBLIC FOR THEIR INFORMATION.

IT IS REQUESTED THAT YOU CONTACT THE APPROPRIATE AGENCY FOR FURTHER INFORMATION.

FOR THE ATTORNEY GENERAL

DATE: 12/15/70

BY: [illegible]

FOR THE ATTORNEY GENERAL



DEATON, INCORPORATED,
a corporation

PLAINTIFF

VS

CHARLES HALL

DEFENDANT

X IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

X CASE NO: 9720

X

PLEA

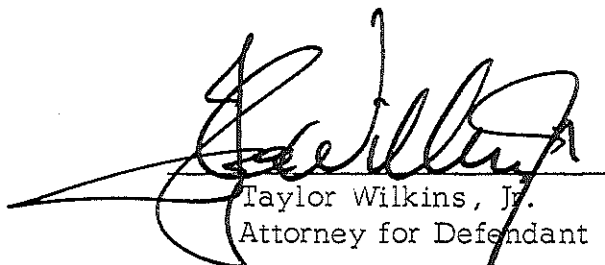
Comes now the Defendant, Charles Hall, separately and severally,
and files this plea to the plaintiff's complaint and each count thereof separately
and severally:

I.

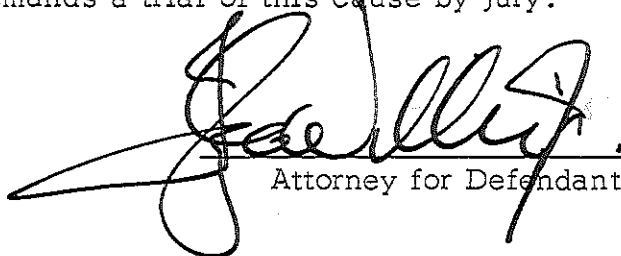
Not Guilty.

II.

The Defendant denies each and every allegation of the Plaintiff's
complaint and each count thereof and demands strict proof of the same.


Taylor Wilkins, Jr.
Attorney for Defendant

Defendant respectfully demands a trial of this cause by jury.


Attorney for Defendant

FILED

MAR 31 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

J82966

DISTRIBUTION OF COSTS

OFFICERS	NAMES	TOTAL	PLTF.	DEFT.
CLERK		10.67		
WITNESS	X			
SHERIFF	X	3.70		
LIBR. TAX		.25		
MISCL.				
CONSTABLE				
TOTALS		\$14.62		

PLEASE BRAD THIS TO TRANSCRIPT SHEET

CIVIL COURT OF JEFFERSON COUNTY

J- 8290

FORM NO. 14-5-70-10M-174692

ATTORNEY		NAME OF PARTIES				CAUSE OF ACTION				ITEMIZED BILL OF COSTS			
Markstein & Morris		Deaton, Inc., a corporation (317 Avenue, West, Ensley)				\$303.97 Account				COURT FEES Issuing Summons and Complaint\$1.00 Issuing Alias Summons50 Issuing Alias Summons50 Issuing Subpoena Duces Tecum50 Issuing Subpoena, each witness25 Issuing Subpoena, each witness25 Issuing Exe. and taxing cost 1.00 Issuing Alias Execution50 Issuing Attachment Writ50 Bond and Affidavit 1.50 Issuing Vendi Exponas50 Issuing Transcript 1.00 Writ of Detinue50 Garnishment and Notice 1.00 Garnishment and Notice 1.00 Garnishment and Notice 1.00 Cor. not otherwise provided for25 Docketing Cause to 1,000.00 6.10 Docketing Cause over 1,000.00 9.10 Issuing Commission <u>Cert. Mail</u>50 75c Party Interrogatories, 10c Page Attending Trial of Right of Property-Detinue 1.00 Sel. Fa. or Notice in nature thereof50 Transfer of Case 3.00 Alias Notice to Defendant25 Notice to Defendant-Statement of Assets 1.50 Citation to Defendant-Statement of Assets 1.50 Appeal Bond, Trans. and Notice 3.00 Library Tax25 SHERIFF'S FEES Serving..... Summons 2.50 Serving..... Summons 2.50 Entering Return25 Serving..... Summons each witness75 Serving..... Summons each witness75 Serving..... Garnishment 2.50 Serving..... Garnishment 2.50 Levying Attachment 7.50 Serving Car. on Judgment 2.50 Levying Execution 3.00 Making Money, 5%, not less than 75c..... Serving..... Notice etc., on each party therein 2.50 Serving..... Notice etc., on each party therein 2.50 Serving Sel. Fa. or other like notice 2.50 Taking Bond 2.00 Taking Property Levied on 7.50 Car. Ans. Fee Witness Fees Miscellaneous RECEIPTS Paid Library Tax Paid Court Fees Paid Sheriff Paid Foreign County Sheriffs Miscellaneous			
vs.		Charles Hall (Route One, Perdido, Alabama 46562)											
DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT	DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT				
11-23-70 12-7-70		Affidavit and Bond Filed for Writ of Summons and Complaint issued, ret. 12-17-70 ret. executed by <u>Melvin Bailey, Sheriff</u> <u>Deputy Sheriff</u> <u>Jefferson County, Ala.</u>											
12-15-70 DEC 17 1970		Plea in abatement filed. Case is continued as inactive.											
MAR 23 1971		Defendant's plea in abatement granted and this cause is hereby transferred to <u>Circuit</u> <u>Court of Baldwin County, Bay Minette, Alabama</u> and the costs of this proceeding in this Court are hereby taxed to Plaintiff. <u>Judge.</u>											
I, Joan Anderson, in my capacity as Clerk of the Civil Court of Jefferson County, hereby certify that the above is a true and correct exemplification of all the minutes, orders and other proceedings in the above styled case in this Court. Witness my hand, this <u>25</u> day of <u>March</u> , 19 <u>71</u> <u>Joan Anderson</u> , Clerk													

D. HARRY MARKSTEIN, JR.
DEWAYNE N. MORRIS
DANIEL H. MARKSTEIN, III

LAW OFFICES OF
MARKSTEIN AND MORRIS
512 MASSEY BUILDING
BIRMINGHAM, ALABAMA 35203

TELEPHONE
(205) 324-6633

March 23, 1971

Mrs. Joan Anderson, Clerk
Civil Court of Jefferson County
County Courthouse
Birmingham, Alabama 35203

RE: Deaton, Inc. vs. Charles Hall
Civil Court of Jefferson County
Case No. J 82966

Dear Mrs. Anderson:

In accordance with my telephone conversation with your office of today, you are requested to ask one of the judges to sustain the Plea in Abatement in the above case and to have the case transferred to the Circuit Court of Baldwin County, Alabama.

Sincerely yours,


Dewayne N. Morris

DNM:ew
Ccs: Mr. Kenneth Cooper
Mr. J. R. Furlong

FILED
MAR 24 1971
CIVIL COURT OF
JEFFERSON COUNTY

TAYLOR D. WILKINS, JR.
ATTORNEY AT LAW
TELEPHONE 937-7024 P. O. BOX 61
BAY MINETTE, ALABAMA 36507

December 14, 1970

Mrs. Joan Anderson
Clerk, Civil Court
Jefferson County Court House
Birmingham, Alabama 35200

file

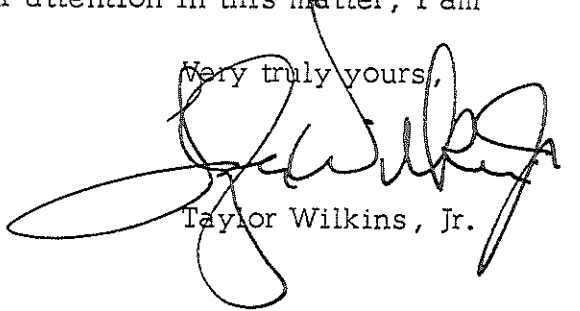
RE: Deaton, Incorporated
vs
Charles Hall

Dear Mrs. Anderson:

Please file the enclosed Plea in Abatement and notify me on this letter when you have accomplished the same. Enclosed is a self-addressed envelope.

Thanking you for your attention in this matter, I am

Very truly yours,


Taylor Wilkins, Jr.

TWJr:sp

Enclosures

SUMMONS AND COMPLAINT ON ACCOUNT

Form No. 9

THE STATE OF ALABAMA
Jefferson County

To Any Lawful Officer of Said State--Greeting:

Summon **Charles Hall**

to appear before the CIVIL COURT OF JEFFERSON COUNTY on this date **December 17, 1970**, at 9:00 A.M.,
next at the Courthouse, Room No. 518 in Birmingham, to answer the Complaint of **Deaton, Inc., a corporation**
and there make returns of this writ.

Witness my hand on this date **November 1970**

, Clerk

DEATON, INC., a corporation

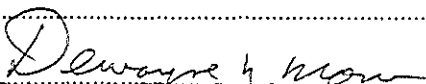
CHARLES HALL,

vs.

Plaintiff.

Defendant.

The Plaintiff claims of the Defendant the sum of **-----\$303.97-----** Dollars,
due by **account.**


Dewayne N. Morris

Plaintiff's Attorney

DEKOSTER & MORRIS
512 MASSEY BLDG.
BIRMINGHAM, ALA. 35203
PHONE 324-6633

CASE NO. _____

THE STATE OF ALABAMA,
JEFFERSON COUNTY

CIVIL COURT OF JEFFERSON COUNTY
Room No. 518
Courthouse

SUMMONS & COMPLAINT

Deaton, Inc.
317 Avenue W, Ensley
Birmingham, Alabama 35214
Plaintiff.

vs.

Charles Hall
Route 1
Perdido, Alabama 36562
Defendant.

Garnishee.

Defendant at

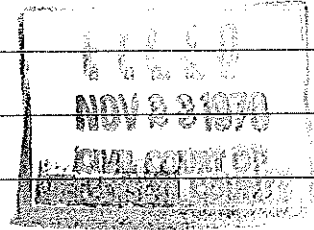
Garnishee at

The Defendant is hereby notified that Writ
of Garnishment has been issued to

Issued _____, 19____

Clerk

The within process executed by personal
service of a copy of said Summons and Com-
plaint and notice on the Defendant.



This _____ day of _____,
19____.

Sheriff.

Deputy Sheriff.

SUMMONS AND COMPLAINT ON ACCOUNT

Form No. 9

THE STATE OF ALABAMA
Jefferson County

To Any Lawful Officer of Said State--Greeting:

Summon Charles Hall

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and there make returns of this writ.

Witness my hand on this date November 23 1970 1970

Jean Anderson
Clerk

DEATON, INC., a corporation

CHARLES HALL,

vs.

Plaintiff.

Defendant.

The Plaintiff claims of the Defendant the sum of -----\$303.97----- Dollars,
due by account.

Dewayne N. Morris
Dewayne N. Morris

Plaintiff's Attorney

512 MASSEY BLDG.
BIRMINGHAM, ALA. 35203
PHONE 324-6633

112 J82966
CASE NO.

THE STATE OF ALABAMA,
JEFFERSON COUNTY

CIVIL COURT OF JEFFERSON COUNTY

Room No. 518
Courthouse

SUMMONS & COMPLAINT

Deaton, Inc.
317 Avenue W, Ensley
Birmingham, Alabama 35214
Plaintiff.

vs.

Charles Hall
Route 1
Perdido, Alabama 36562
Baldwin Co Defendant.

Garnishee.

Defendant at

Garnishee at

The Defendant is hereby notified that Writ
of Garnishment has been issued to:

FILED

Issued MAR 29 1971, 19

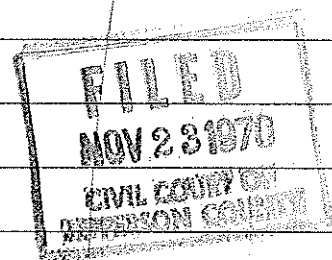
EUNICE B. BLACKMON CIRCUIT
CLERK

Clerk

NOV 25 1970

TAYLOR WILKINS
SHERIFF

The within process executed by personal
service of a copy of said Summons and Com-
plaint and notice on the Defendant.



This 2 day of Dec,
1970

Sheriff claims 22 miles at

Ten Cents per mile Total \$ 2.20

TAYLOR WILKINS, Sheriff

Robert
Deputy Sheriff

W A Tolbert
Deputy Sheriff

Rolbert