

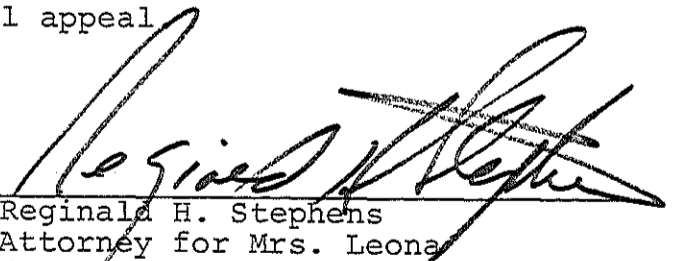
MRS. LEONA (T. L.) SPEED : IN THE CIRCUIT COURT OF  
 Plaintiff : BALDWIN COUNTY, ALABAMA  
 VS. :  
 H. C. DEVINE, JR. :  
 Defendant : CASE NO. 9,731

MOTION FOR EXTENSION OF TIME  
IN WHICH TO PERFECT APPEAL

Comes Now Reginald H. Stephens, Attorney at Law, and moves this Honorable Court for an Extension of Time in which to perfect an appeal in the above styled cause, and shows unto the Court as follows:

1. That your Petitioner has been retained by Mrs. Speed and family, with reference to an appeal; which case was tried on January 17th, & 18th of 1972 before the Honorable Telfair Mashburn and Jury.
2. That the Jury found for the Defendant.
3. That your Petitioner has ordered a trial transcript of the above cause from Mrs. Louise Dusenbury, which will not be available until the latter part of the week of the 14th to 18th of February, 1972.

WHEREFORE, your Petitioner respectfully prays that he be allowed an additional thirty (30) days, to March 18th, 1972, in which to file notice and actual appeal.

  
 Reginald H. Stephens  
 Attorney for Mrs. Leona  
 (T. L.) Speed.

*2-15-72 motion considered  
 and granted - and time for  
 perfecting appeal extended  
 to March 18, 1972.*

*Telfair J. Mashburn  
 Judge*

**FILED**

FEB 15 1972

MRS. LEONA (T. L.) SPEED : IN THE CIRCUIT COURT OF  
Plaintiff : BALDWIN COUNTY, ALABAMA  
VS. :  
H. C. DEVINE, JR. :  
Defendant : CASE NO. 9,731

ORDER GRANTING ADDITIONAL TIME  
IN WHICH TO PERFECT APPEAL

This cause having been submitted by Reginald H. Stephens, Attorney for the above Plaintiff, requesting additional time within which to appeal said case; and it appearing to the Court that said motion for additional time is well taken;

It is therefore ORDERED, ADJUDGED and DECREED that an additional thirty (30) days is hereby granted to the Plaintiff in which to perfect an appeal. Said extension to expire March 18, 1972.

Dated February 15 1972.

J. Peter A. Mashburn  
TELF AIR MASHBURN, Judge

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA 36507

JOHN CHASON,  
NORBORNE C. STONE, JR.  
JOHN EARLE CHASON  
EBERHARD E. BALL

TELEPHONE 937-2191

February 27, 1971

Mrs. Eunice Tindal, Register  
Circuit Court of Baldwin County  
Bay Minette, Alabama

# 11,442

Dear Mrs. Tindal:

We note on the Equity docket that the Will contest for the Estate of Ella Virginia Devine is listed. This contest is not in Equity but is in the Circuit Court with a jury demand. The contest dated November 4, 1970, which was filed in the Probate Court of Baldwin County demanded that such contest be transferred from the Probate Court to the Circuit Court of Baldwin County pursuant to the provisions of Title 61, Section 63 of the 1940 Code of Alabama and that the issues be made up before the Court and tried before a jury.

The order of the Probate Court transferring such contest states that it is transferred to the Circuit Court of Baldwin County, Alabama. When this file was set up last November in the Equity Court, it should have been set up in the Circuit Court. Will you please transfer the file that you hold in this case and the docket sheet from the Equity Court to the Circuit Court with a jury demand. I am sending Judge Mashburn and Mr. Cooper a copy of this letter for their information.

The proceeding to contest a will in Equity is instituted within six months after a will has been probated in the Probate Court by some person entitled to contest who did not contest in the Probate Court and this is an entirely different type of proceeding.

With best regards, we are

Yours very truly,

CHASON, STONE & CHASON

By: 

JC:jb