588-0003

### COMPLAINT AND SUMMONS

Febru

February 26, 1971

EPORT TO GENERAL SESSIONS DURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon C.B. Pe	7777
YOU are hereby commitmed to commitment	7
	<u> </u>
	<u> </u>
to be and appear before the Court of General Sessions of Mo	obile County at the Courthouse of Mobile
County, on the 3 day of	, 19/ at the hour of 9:00=A.M.,
//	
hen and there to answer a complaint of	
Lanco-Montgomery Federal Credit Unin, (a c	
of a debt or other demand not exceeding Seven Hundred Fift	y Dollars.
Herein fail not and have you then and there this precept	with your doings.
Herein fair hes and have you men and alore and prosept	
Witness my hand, this day of	, 19.
Je	
Clarty of th	ne Court of General Sessions of Mobile County.

Cause of Action Plaintiff claims of the Defendant the sum of \$135.73, with interest thereon, due by promissory note, made by the Defendant on to wit" the 3rd day of June, 1968, which said sum with interest thereon is past due and unpaid, and Plaintiff avers that as a part of consideration of said instrument, Defendant waived his right to exemptions as to personal property, and agreed to pay a reasonable attorney fee for which the Plaintiff claims the additional sum of \$43.62

Birmingham, Alabama

### COMPLAINT AND SUMMONS

Atty, for Plaintiff: Atty, for Defendant:	
THE COURT OF GENERAL SESSION OF MOBILE COUNTY	ONS
No. 95/89	·
Ret. 30,/9)/ Lanco-Montgomery Federal (220 Water St.	Credut Union, (a corp)
Montgomery, Alabama VS.	., Alabama
Continued To	
Executed by Service on  Defe	endant
Sheriff of Mobile	County
ByDeputy	Sheriff

## COMPLAINT AND SUMMONS

February 25, 1971

REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

Birmingham, Alabama

588-	0003		
The	State	of	Alabama
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TO THE SHERIFF OF MOBILE COUNTY-GREETINGS: MOBILE COUNTY

haters the Court of Gener	ral Sessions of Mobile County at the Courthouse of Mobile
to be and appear herore the court of	at the hour of 9:00 A.M.,
County, on the day of	at the hour of 9:00 A.M.,
then and there to answer a complaint of	·
	it Unip, (a corp)
Lanco-Molicgomeza a surre	
of a debt or other demand not exceeding S	even Hundred Fifty Donars.
Herein fail not and have you then and	there this precept with your doings.
Herein fail not and have you with the	Jane, 19 /
Witness my hand, this day of	Λ
Marian Marian Marian Marian	Clerk of the Court of General Sessions of Mobile County.
	Clerk of the Court of General Sessions of Moses
G Astion Plaintiff claims	of the Defendant the sum of \$135.73, with
interport thereon, due of pro-	interpretation of the second o
214 - 146 - 310 - 63 - 63 - 64 - 64 - 64 - 64 - 64 - 64	that as a part of considerat
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personal property, and agreed the Plaintiff claims the addi	
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	1801-9th Ave. so.

	and the same of th
COMPLAINT AND SUMMONS	REC'D SHERIFF MOBILE COUNTY
Atty. for Plaintiff: Atty. for Defendant:	APR 9   ool
THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY	
No. 95/88	
Ret. ( 30,197)	
Lanco-Montgomery Federal Credit Un	ion, (a corp)
ontgomery, Alabama	TAYLOR WILKINS, SHERIFF OF BALDWIN
vs.	COUNTY, ALABAMA, CLAIM \$1.50 EACH
B. Perry	
Seneral Delivery Foley-, Alabama	TRAVEL EXCENSE ON EACH OF \$ 17 2 23
Det - Relos	
	Processes CRA TOTAL OF \$ 870
MAR 1 8 1971	要一张基本生活。这一是一类。
ch &	
xecuted by Service on	
C.B. Perry	
Defendant	
his day	
Bar Bar	
Sheriff of Mobile County	
y Washerlancen	
Deputy Sheriff	

#### CECIL G. CHASON

THOMAS W. UNDERWOOD, JR. ASSOCIATE

- Attorney at Law

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

April 21, 1971

Clerk Court of General Sessions Mobile County Mobile, Alabama

> Re: Lanco-Montgomery Federal Credit Union vs. C. B. Perry, Case # 95189

Dear Clerk:

I have been retained to represent the Defendant, Mr. C. B. Perry, in the above styled case and respectfully ask that you file the enclosed Plea in Abatement on behalf of the Defendant in this case. I am mailing a copy of the Plea to the attorney for the Plaintiff.

Yours very truly,

Thomas W. Underwood, Jr.

TWU, Jr/jc

Encl:

cc: Mr. C. H. Wyatt, Jr.
Cole & Wyatt, Attorneys
1801 9th Ave. So.
Birmingham, Alabama

COURT OF GENERAL SESSION NR 23 II 13 M 71 LANCO-MONTGOMERY FEDERAL
CREDIT UNION, (a corp),

Plaintiff,

Vs.

C. B. PERRY,

Defendant.

CREDIT UNION, (a corp),

IN THE COURT OF GENERAL

SESSIONS, MOBILE COUNTY,

ALABAMA

CASE NO. 95189

#### PLEA IN ABATEMENT

Now comes C. B. Perry, the Defendant in the above stated case, and files his Plea and shows that he is a resident citizen of Baldwin County, Alabama, having been a citizen of said county for the past ten years, and that he is not a citizen of Mobile County, Alabama, and that the Plaintiff in the above stated case has its place of business in Montgomery County, Alabama, and that, therefore, Mobile County, Alabama, is not the correct venue for the trial of this case under and by virtue of Title 7, Section 54 of the 1940 Code of Alabama, Recompiled 1958, and that the proper county in which this suit should have been filed is Baldwin County, Alabama.

Wherefore, Defendant prays that the instant action abate and that the same be dismissed.

Thomas W. Underwood, Jr. Attorney for Defendant.

STATE OF ALABAMA BALDWIN COUNTY

Before me, Inc. W. UNDERWOOD a Notary Public in and for said County in said State, personally appeared C. B. Perry, who is known to me and who, after being by me first duly and legally sworn, deposes and says that he is the Defendant in the foregoing Plea in Abatement and that the matters and facts alleged in said Plea are true and correct.

Sworn to and subscribed before

me on this 22 Mday of April, 1971.

Thomas W. Underwood, 7.

Notary RubliciCATE OF SERVICE

I do hereby certify that I have on this

day of April , 107 , 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, and COURT OF GENERAL first class postage prepaid.

Arm 23 11 13 AM '71

#### THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 95189 IA NCO-MONTGOMERY FEDERAL CREDIT UNION, Filed: March 10, 1971 (a corp.) (( Summons Issued: March 12, 1971 Plaintiff, Returnable: April 30, 1971 Service Had: April 7, 1971 ٧S Cause of Action: Promissory Note Attorney for Plaintiff: COLE & WYMTT C. B. PERRY Defendant. Attorney for Defendant: THOMAS W. UNDERWOOD, JR. Amount of Claim: \$135.73

April 23, 1971 - Defendant's Plea in Abatement filed

April 30, 1971 - Plea Confessed - Transfer to Baldwin County Circuit Court

Thomas 7 Sweerey

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, Albbama.

Witness my hand this the 6 day of May, 1971.

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

COLE & WYATT

ATTORNEYS FOR PLTF: General Sessions (Civil Div.) Court of Mobile, Mobile County Court House, Mobile, Ala. LANCO-MONTGOMERY FEDERAL CREDIT UNION, A CORP. Plaintiff C. B. PERRY 95189 CASE NO. Defendant Garnishee COURT FEES Summons and proceedings thereon to judgment Docketing each cause .10\_\_\_\_\_\_. Law Library Fee\_\_\_\_\_\_1.00\_\_\_\_\_ Garnishment \_\_\_\_\_\_TOTAL \$\_\_\_\_\_ SHERIFF'S FEES Levying Attachment \_\_\_\_\_ 6.00\_\_\_\_\_ Summoning Garnishee and making return\_\_\_\_\_ 1.50\_\_\_\_\_ 1.50\_\_\_\_ Serving Summons and other mesne process, and returning the same\_\_\_\_\_ 1.50\_\_\_\_\_ Collecting execution for costs only\_\_\_\_\_\_ 1.50\_\_\_\_\_ 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.

I. D. Richardson, Clerk

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STATE OF ALABAMA, MOBILE COUNTY

Plaintiff	
VS.	,
C. B. PERRY	
Defendant	
o C. B. PERRY	: N
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n said Cause:	
he <b>PLAINTIFF</b> in the above entit	led cause has prayed and ob-
he PLAINTIFF in the above entite a transfer to the Circuit Court of Baldwin Count of Baldwi	led cause has prayed and ob-
he PIAINTIFF in the above entite a transfer to the Circuit Court of Baldwin Courined жижжиний кихиникий жижиний жижин	led cause has prayed and ob- nty, <sup>A</sup> labama,
he PIAINTIFF in the above entite a transfer to the Circuit Court of Beldwin Court of the Law in such cases made omplied with the requirements of the law in such cases made	cled cause has prayed and ob- enty, Alabama,  LE COUNTY, and having e and provided, the same has
he PIAINTIFF in the above entite a transfer to the Circuit Court of Baldwin Courined AKANGARAKANAKAKANAKANAKANAKANAKANAKANAKANAKAN	LE COUNTY, and having and provided, the same has
he PIAINTIFF in the above entited a transfer to the Circuit Court of Beldwin Court of AND	LE COUNTY, and having and provided, the same has
transfer to the Circuit Court of Baldwin Court of GENERAL SESSIONS OF MOBI complied with the requirements of the law in such cases mad Baldwin Baldwin Geongranted to the next term of the CIRCUIT COURT of Assaid County, you are hereby notified accordingly.	LE COUNTY, and having and provided, the same has n County
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Саяе	Nο	95189

LANDO-MONTGOMERY FEDERAL CREDIT UNION, A CORP.

Plaintiff,

VS

C. B. PERRY

Defendant.

FILED

Miller of the

MAY 7 1971

NOTICE OF XXXXXXXXX TRANSFER

EUNICE B. BLACKMON CIRCULT

Returnable To The Circuit Court of

Baldwin County

Issued: May 6, 1971

Serve On:

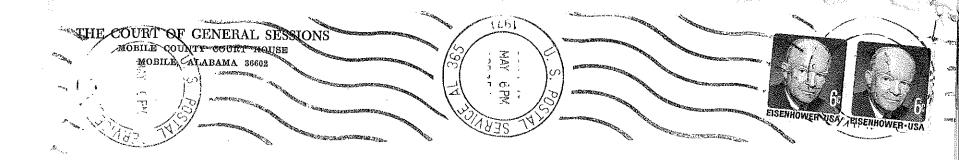
C. B. PERRY General Delivery

Foley. Ala.

or e/o Thomas W. Underwood, Jr., Atty.

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MOBILE COUNTY	
IANCO.MONTGOMERY FEDERAL CREDIT UNIC	ON, (A CORP)
Plaintiff VS.	
C. B. IERRY	
Defendant	
C. B. PERRY	
n said Cause:	
PLAINTIFF	in the above entitled cause has prayed and ob-
the PLAINTIFF  a transfer to the Circuit Court of t	in the above entitled cause has prayed and ob- f Beldwin County, Alabama, wendered by
the PLAINTIFF  a transfer to the Circuit Court of the cained *** The PEAR THE THE COURT OF GENERAL SESSI complied with the requirements of the law in the court of the court o	on the above entitled cause has prayed and ob- f Baldwin County, Alabama, condered by  ONS OF MOBILE COUNTY, and having a such cases made and provided, the same has
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	in the above entitled cause has prayed and ob- f Baldwin County, "Labama, mendered by



MRS. ALICE J. DUCK, Circuit Clerk Baldwin County Court House Bay Minette, Alabama

9827

The enclosed papers numbered from 1 to 6, include all the original papers in the case of LANCO-MONTGOMERY FED. CREDIT UNION VS C. B. PERRY Case No. 95189

JoD. Wichardson

Clerk of The Court of General Sessions of Mobile County, Ala/