

9848

LAW OFFICES
RICKARBY & BENTON
ATTORNEYS AT LAW
35 SOUTH SECTION STREET
P. O. BOX 471
FAIRHOPE, ALABAMA 36532

E. G. RICKARBY
DANIEL A. BENTON

TELEPHONE
(205) 928-2308

June 17, 1971

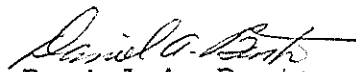
Honorable Telfair J. Mashburn
Judge of the Circuit Court
Bay Minette, Alabama 36507

Re: Momar, Inc. v.
Loxley Farm Equipment

Dear Judge Mashburn:

We sued the wrong defendant in this matter and request a non-suit, so that we may re-file.

Yours very truly,


Daniel A. Benton

DAB:w

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon **LOXLEY FARM EQUIPMENT**

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

LOXLEY FARM EQUIPMENT Defendant.....

by

MOMAR, INC., a corporation, Plaintiff.....

Witness my hand this..... 24 day of May 1971..

Gracie B. Blackman, Clerk

No.

Page.

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MOMAR, INC., a corporation

Plaintiffs

vs.

LOXLEY FARM EQUIPMENT

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

RICKARBY & BENTON
Fairhope, Alabama

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Loxley, Alabama

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

MOMAR, INC.,	)	IN THE CIRCUIT COURT OF
a corporation,	)	
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	
	)	AT LAW
vs.	)	
	)	
LOXLEY FARM EQUIPMENT,	)	CASE NO. _____
	)	
Defendant	)	

C O M P L A I N T

COUNT I

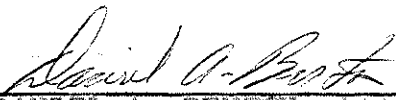
The Plaintiff claims of the Defendant the sum of SEVENTY-FIVE AND 59/100 DOLLARS (\$75.59) due him by account on, to-wit, the 15th day of September, 1970, which sum of money with interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement filed herewith.

COUNT II

The Plaintiff claims of the Defendant the sum of SEVENTY-FIVE AND 59/100 DOLLARS (\$75.59) due him by account on, to-wit, the 15th day of September, 1970, which sum of money with the interest thereon is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of SEVENTY-FIVE AND 59/100 DOLLARS (\$75.59) due him for merchandise, goods, and chattels sold by the Plaintiff to the Defendant on-to-wit, the 15th day of September, 1970, which sum of money, with interest, is still unpaid.


DANIEL A. BENTON, Attorney for Plaintiff

OF COUNSEL:

RICKARBY & BENTON
Fairhope, Alabama

FILED

MAY 24 1971

Defendant may be served at
Loxley, Alabama

EUNICE B. BLACKMON CIRCUIT
CLERK

MOMAR, INC.,
a corporation,

Plaintiff,

vs.

LOXLEY FARM EQUIPMENT,

Defendant

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO. _____

C O M P L A I N T

COUNT I

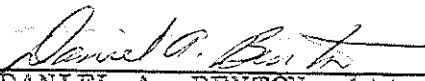
The Plaintiff claims of the Defendant the sum of SEVENTY-FIVE AND 59/100 DOLLARS (\$75.59) due him by account on, to-wit, the 15th day of September, 1970, which sum of money with interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement filed herewith.

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DANIEL A. BENTON, Attorney for Plaintiff

OF COUNSEL:

RICKARBY & BENTON
Fairhope, Alabama

928-2308

Defendant may be served at
Loxley, Alabama

FILED

MAY 24 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

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LOXLEY FARM EQUIPMENT Defendant.....

by

MOMAR, INC., a corporation, Plaintiff.....

Witness my hand this..... 24 day of May 1971

Ernest B. Blackmon Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MOMAR, INC., a corporation

Plaintiffs

vs.

LOXLEY FARM EQUIPMENT

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

MAY 24 1971

Clerk

EUNICE B. BLACKMON

CIRCUIT
CLERK

MAY 24 1971

TAYLOR WILKINS
SHERIFF

RICKARBY & BENTON
Fairhope, Alabama

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Loxley, Alabama.....

Received In Office

24 of May 1971

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff claims miles at.....

Ten Cents per mile Total \$.....

TAYLOR WILKINS, Sheriff

BY 1971

DEPUTY SHERIFF

Returned 26 day of May 1971
Not found in my county after diligent search and inquiry.
Taylor Wilkins, Sheriff
D. S. V. Brown, Deputy Sheriff