

LAW OFFICES
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E. G. RICKARBY
DANIEL A. BENTON

June 17, 1971

Mrs. Eunice Blackmon
Clerk of the Circuit Court
Bay Minette, Alabama 36507

Re: Momar, Inc. v.
Paul Childress, Jr.

Dear Mrs. Blackmon:

We filed a summons and complaint on this earlier, which is numbered 9848, at Law, in your office. We made a mistake in that we sued Loxley Farm Equipment rather than Paul Childress and it is now up in your office.

Please take the itemized and verified statements of account which are attached to that and attach them to this new summons and complaint, which we are forwarding to you now, and apply the balance of the advance cost that we sent to this new suit.

I would also appreciate your taking this letter addressed to the judge, which I am enclosing, to him for his action so that we can take a non-suit on it.

Yours very truly,


Daniel A. Benton

DAB:w
Enc.

MOMAR, INC.,)	IN THE CIRCUIT COURT OF
a corporation,)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	AT LAW
vs.)	
PAUL CHILDRESS, JR.,)	
individually and d/b/a/)	CASE NO. <u>9890</u>
LOXLEY FARM EQUIPMENT,)	
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.

FILED

JUN 22 1971

Daniel A. Benton
DANIEL A. BENTON, Attorney for Plaintiff

EUNICE B. BLACKMON CIRCUIT
CLERK
OF COUNSEL:

RICKARBY & BENTON
Fairhope, Alabama

Defendant may be served at
Loxley, Alabama

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

} No. 9890

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon PAUL CHILDRESS, JR., individually and
d/b/a 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
PAUL CHILDRESS, JR., individually and
d/b/a LOXLEY FARM EQUIPMENT, ... Defendant.....

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

Witness my hand this 22nd day of June 1971
Eunice B. Blackmon, Clerk

46-23-71

No. 9896

Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MOMAR, INC., a corporation

Plaintiffs

vs.

**PAUL CHILDRESS, JR., individually
& d/b/a LOXLEY FARM EQUIPMENT,**

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

FILED

Clerk

JUN 22 1971

EUNICE B. BLACKMON CIRCUIT CLERK

RICKARBY & BENTON
Fairhope, Alabama

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Loxley, Alabama

Recieved In Office

June 22 1971

Taylor Wilkins Sheriff

I have executed this summons

this *23-June* 1971

by leaving a copy with

BR

Paul Childress

42 miles at

Ten Cent per mile total \$ *4.20*

TAYLOR WILKINS Sheriff

H. J. Brown
DEPUTY SHERIFF

Taylor Wilkins Sheriff

HJB Deputy Sheriff

40 mi R to Loxley

OFFICE OF THE REGISTER

COUNTY, ALABAMA

List of the Names, Residences and Polling Places of Voters Voting Absentee Ballots as provided
in Title 17, Sec. 64 (29) Code of Alabama, 1940.

on the _____ day of _____ 196__

Election to be held _____ 196__

NAME

RESIDENCE

POLLING PLACE
Beat and Box Number

Judge Mashburn:

Please forgive the informality, but I was out of the office
when I learned I had sued the wrong defendant
in both of the following cases.

Momur, Inc. vs. Paul Childress, Jr. # 9890

Wink Cloths Rental Service vs- Paul Childress, Jr. # 9878

Please enter a non-suit in each case.

Respectfully -

Sam Benton