

UNION OIL COMPANY OF
CALIFORNIA, A Corporation,
Plaintiff,

VS:

CHARLES H. FINCHER,
Defendant.

: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA
:
: CIVIL DIVISION
:

: CASE NO. 9995

The plaintiff claims of the defendant SEVEN THOUSAND EIGHT HUNDRED SEVENTY-SEVEN AND 90/100 (\$7,877.90) DOLLARS due from him by promissory note made by him on to-wit, March 17, 1969, by which the defendant promised to pay to the plaintiff the total sum of FIVE THOUSAND FIFTY-EIGHT AND 76/100 (\$5,058.76) DOLLARS in installments of ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on April 15, 1969, ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on May 15, 1969, ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on June 15, 1969, ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on July 15, 1969, and ONE THOUSAND FIFTY-EIGHT AND 76/100 (\$1,058.76) DOLLARS on August 15, 1969. Plaintiff avers that said note provided for interest on the principal at a rate of SEVEN (7%) per cent per annum from the date of making.

Plaintiff avers that said note contained a provision that the failure to pay any installment when due would render the entire amount unpaid due and payable, and the defendant defaulted on the first (1st) installment.

Plaintiff claims a reasonable attorney's fee, as provided in said note, and plaintiff avers that a reasonable attorney's fee would be in the amount of ONE THOUSAND NINE HUNDRED SIXTY-NINE AND 47/100 (\$1,969.47) DOLLARS.

Wherefore, the plaintiff claims judgment against the defendant in the amount of SEVEN THOUSAND EIGHT HUNDRED SEVENTY-SEVEN AND 90/100 (\$7,877.90) DOLLARS with interest as provided for in said note.

COLLINS, GALLOWAY & MURPHY

BY: Wilson M. Hawkins, Jr.

Wilson M. Hawkins, Jr.
ATTORNEYS FOR PLAINTIFF

DEFENDANT'S ADDRESS:

P. O. Box 67
Loxley, Alabama
Telephone Number: 964-5459

FILED

203 18 1971

RECEIVED BLACKMON CIRCUIT CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9995

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Charles H. Fincher

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.....

Charles H. Fincher Defendant.....

by Union Oil Company of California, a corporation

Plaintiff.....

Witness my hand this 18th day of August 1971

Ernie B. Blackman Clerk

No. 9995

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

UNION OIL COMPANY OF CALIFORNIA, A

Corporation

Plaintiffs

vs.

CHARLES H. FINCHER

Defendants

SUMMONS AND COMPLAINT

Filed Aug. 18, 1971

Eunice B. Blackmon Clerk

AUG 19 1971

TAYLOR WILKINS
SHERIFF

Collins, Galloway & Murphy

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

AUG 19 1971

TAYLOR WILKINS
SHERIFF

19.....

Sheriff

I have executed this summons

this 20-Aug 1971

by leaving a copy with

Charles H. Fincher

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Taylor Wilkins Sheriff

H J Brown Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

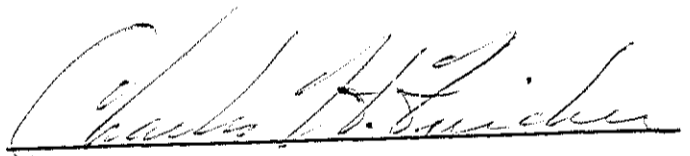
40 mi to T.
Loftly

UNION OIL COMPANY OF : IN THE CIRCUIT COURT OF
CALIFORNIA, a corporation,
Plaintiff, : BALDWIN COUNTY, ALABAMA
-vs- : AT LAW
CHARLES H. FINCHER, :
Defendant. : CASE NUMBER 9995

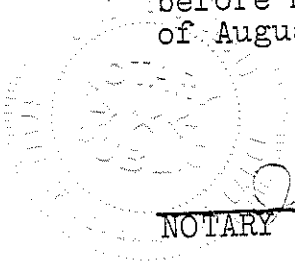

ANSWER TO WRIT OF DISCOVERY

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned Notary Public in and for
said State and County, personally appeared CHARLES H. FINCHER,
known to me, who, being by me duly sworn, deposes and says
for answer to writ of discovery that he does not own any real
or personal property.



Subscribed and sworn to
before me this 30th day
of August, 1972.



NOTARY PUBLIC, STATE OF ALABAMA AT LARGE

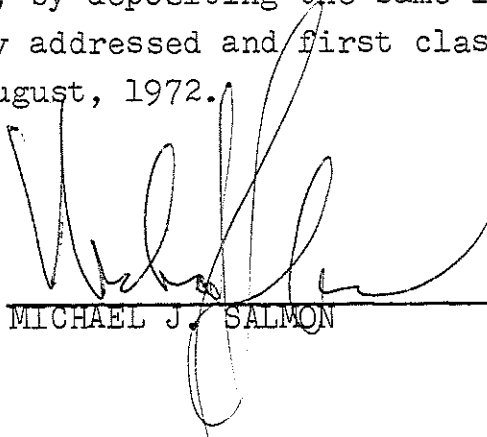
FILED

SEP 1 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing Answer to Writ of Discovery upon Mr. Wilson M. Hawkins, Jr., of Collins, Galloway & Murphy, Attorneys for the plaintiff in this cause, by depositing the same in the United States mail, properly addressed and first class postage prepaid, this 30 day of August, 1972.



MICHAEL J. SALMON

FILED

SEP 1 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

MICHAEL J. SALMON
LAWYER
SUITE 317
INTERNATIONAL TRADE CENTER
250 N. WATER STREET
MOBILE, ALABAMA 36602
438-3652

August 30, 1972

Clerk, Circuit Court
Civil Division
County Courthouse
Bay Minette, Alabama

Re: Union Oil Company of California
v. Charles H. Fincher, Number 9995

Dear Ms. Blackmon:

Enclosed is an Answer to Writ of Discovery which I
will appreciate your filing in the above-referenced matter.

Very sincerely yours,

MICHAEL J. SALMON

jes

Enclosure

\$ 5,058.76

March 17

1969

Promise to pay to the order ofPURE OIL DIVISION.....

UNION OIL COMPANY OF CALIFORNIA

Five Thousand, Fifty-Eight and 76/100-----DOLLARS

with interest from date at the rate of $7\frac{1}{2}$ per cent per annum payable monthly in installments as follows:

April 15, 1969	- \$1,000.00
May 15, 1969	- 1,000.00
June 15, 1969	- 1,000.00
July 15, 1969	- 1,000.00
August 15, 1969	- 1,058.76

It is hereby expressly agreed that upon default in payment of any one of said installments, which default shall extend over a period of more than ten (10) days, then all subsequent installments on this Note, with interest, shall at once become due and payable at the option of the legal holder thereof without demand or notice, demand and notice being hereby expressly waived. The makers, endorsers and all guarantors of this Note severally waive demand, protest and presentation for payment and notice of non-payment and protest, and also waive any and all defenses on the ground of any extensions or partial payment which may be granted or accepted by the holder before or after the maturity of this Note or any part thereof.

I also agree that if proceedings are commenced to collect this Note by process of law, reasonable attorney's fees shall be allowed and included in the judgment. Value received.

Payable at P. O Box 156, Birmingham, Alabama 35202


Charles H. Fincher

ENDORSED BY:

F.C. Griffin, Jr.
F.C. Griffin, Jr., Distributor

25 March 1969

Date

UNION OIL COMPANY OF
CALIFORNIA, A CORPORATION,

Plaintiff,

VS:

CHARLES H. FINCHER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9995

ORDER TO SHOW CAUSE

UPON CONSIDERATION OF THE PETITION FILED HEREIN BY THE
ABOVE NAMED PLAINTIFF ON THE 8th DAY OF August
1972, PRAYING THAT THE DEFENDANT BE CITED AS FOR A CONTEMPT, IT
IS

ORDERED, ADJUDGED AND DECREED BY THE COURT THAT THE SAID
Charles H. Fincher, DO BE AND APPEAR BEFORE
THE COURT AT 9:00 O'CLOCK A.M. ON THE 29th DAY OF
August, 1972 AND SHOW CAUSE, IF ANY HAVE HE,
WHY HE SHOULD NOT BE HELD IN CONTEMPT FOR WILFULLY REFUSING TO
FILE SAID STATEMENT OF ASSETS AS REQUIRED BY LAW.

LET A COPY OF SAID PETITION AND DECREE BE SERVED UPON
THE SAID DEFENDANT.

DATED THIS 8th DAY OF August, 1972.

William A. Mallette
CIRCUIT JUDGE

9995
original

Union Oil Company
of California, a corp
Pltz

vs.

Charles H. Fincher
Deft

FILED

AUG 3 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

RECEIVED

AUG 8 1972

TAYLOR WILKINS
SHERIFF

Collins, Galloway & Murphy

Sheriff's Office 40 Miles at
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY Byrd DEPUTY SHERIFF

Received 8 day of July 1972
and on 27 day of Aug 1972
I have a copy of the within
on Charles H. Fincher

By service on
TAYLOR WILKINS, Sheriff
H. B. Brown D.S.
40 mi RT
Lophy.

UNION OIL COMPANY OF
CALIFORNIA, a corporation,

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

CHARLES H. FINCHER

Defendant

AT LAW, CASE NO. 9995

NOTICE TO DEFENDANT

TO: *Charles H. Fincher*

Take notice that upon the written request of Wilson M. Hawkins, Jr., Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

Be governed accordingly.

Dated this 6 day of June, 19 72.

Eunice B. Blackburn
Clerk of Circuit Court of
Baldwin County, Alabama.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA --GREETING:

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon Charles H. Fincher Defendant, and make due return thereon, according to law.

Witness my hand this the 6 day of June, 19 72.

Eunice B. Blackburn
Clerk, Circuit Court of
Baldwin County, Alabama

9995

Union Oil Co.

vs.

Charles H. Fincher

Sheriff Claims 44 Miles
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY CHP DEPUTY SHERIFF

Received 6 day of June 19 72
and on 19 day of August 19 72
I served a copy of the within Notice & A.
on Charles H. Fincher

By service on _____

TAYLOR WILKINS, Sheriff

By CHP D.S.

JUN 6 1972

TAYLOR WILKINS
SHERIFF

40mc RT
copy.

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

May 29, 1972

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Union Oil Company of California
Vs: Charles H. Fincher
Case No. 9995

Dear Mrs. Blackmon:

Would you please issue a writ of discovery in the
above referenced matter against the defendant, Charles H.
Fincher, at his address of P. O. Box 67, Loxley, Alabama.
I have enclosed a Notice To Defendant and Request for
Discovery Assets to assist you in this matter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:



Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

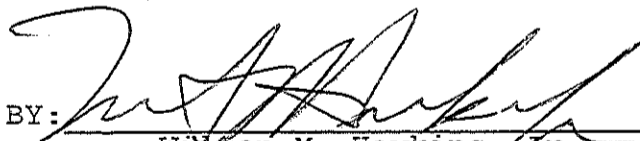
Please sign

UNION OIL COMPANY OF	:	IN THE CIRCUIT COURT OF
CALIFORNIA, a corporation,	:	BALDWIN COUNTY, ALABAMA
Plaintiff,	:	AT LAW
VS:	:	
CHARLES H. FINCHER,	:	
Defendant.	:	CASE NO. 9 9 9 5

REQUEST FOR DISCOVERY ASSETS

The plaintiff herein having recovered at the April 14, 1972, term, a judgment against the defendant in the above styled cause for the sum of SEVEN THOUSAND FIFTY-EIGHT AND 00/100 (\$7,058.00) DOLLARS and costs in the amount of _____ (\$ _____) DOLLARS and execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No Property Found", the plaintiff now requests in writing that the Clerk of this court issue a notice to the above named defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character and description wheresoever located as provided by Title 7, Section 903 of the Code of Alabama.

COLLINS, GALLOWAY & MURPHY

BY: 
 WILSON M. Hawkins, Jr.
 ATTORNEYS FOR PLAINTIFF

FILED

JUN 6 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

UNION OIL COMPANY OF
CALIFORNIA, a corporation,
Plaintiff,
VS:
CHARLES H. FINCHER,
Defendant.

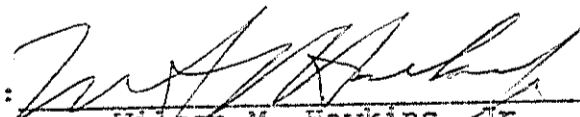
: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA
: AT LAW
:
: CASE NO. 9 9 9 5

REQUEST FOR DISCOVERY ASSETS

The plaintiff herein having recovered at the April 14, 1972, term, a judgment against the defendant in the above styled cause for the sum of SEVEN THOUSAND FIFTY-EIGHT AND 00/100 (\$7,058.00) DOLLARS and costs in the amount of _____ (\$ _____) DOLLARS and execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No Property Found", the plaintiff now requests in writing that the Clerk of this court issue a notice to the above named defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character and description wheresoever located as provided by Title 7, Section 903 of the Code of Alabama.

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.
ATTORNEYS FOR PLAINTIFF

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED C. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

August 17
July 1, 1971

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Circuit Court Clerk
Baldwin County Court House
Bay Minette, Alabama

Re: Union Company of California
Vs: Charles H. Fincher

Dear Mrs. Blackmon:

Please file the enclosed complaint in the above referenced matter and indicate that you have done so by returning the enclosed carbon copy of this letter.

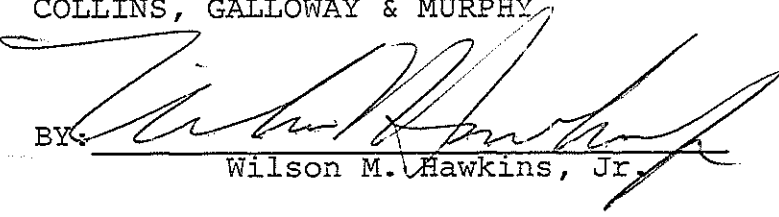
A self-addressed, stamped envelope is enclosed for your convenience.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.

WMHJr/jk
Enclosures

9995
add Summen
to Sher.

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

August 7, 1972

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Union Oil Company of
California, a corporation
Vs: Charles H. Fincher
Case No. 9995

Dear Mrs. Blackmon:

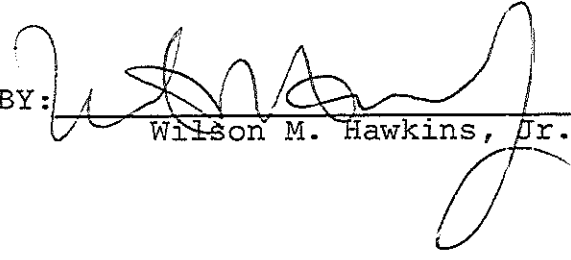
Please file the enclosed "Motion for Rule Ni Si" in the above referenced matter. Also please indicate that this has been done and the date the case is set for hearing on the enclosed carbon copy of this letter. A self-addressed stamped envelope is enclosed for your convenience in this matter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

9995

Place in
file

UNION OIL COMPANY OF
CALIFORNIA, a Corporation,

Plaintiff,

vs.

CHARLES H. FINCHER,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9995

Comes now the Defendant in the above styled cause and
for answer to the Plaintiff's Complaint, says:

1.

That he is not guilty of the matters alleged therein.

2.

Not guilty.

WILTERS & BRANTLEY

BY:

Ray J. Wilters Jr.
Attorneys for the Defendant

Defendant demands a trial by jury.

Ray J. Wilters Jr.
FILED

SEP 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 20 day of September
1971, 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 first class postage prepaid.

WILTERS & BRANTLEY

By: *Ray J. Wilters Jr.*