

MERIT FINANCE CORPORATION, a
corporation,

Plaintiff,

vs.

CLEVELAND SHOOTS and LILLIE
SHOOTs, jointly and severally,

Defendants.

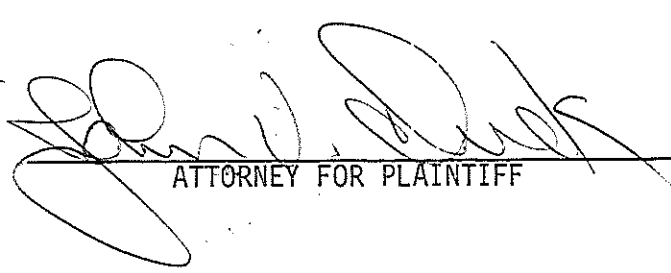
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW
)
)
)
)

Plaintiff claims of the Defendants, THREE HUNDRED FORTY (\$340.00) DOLLARS for the breach of a written agreement entered into by them on the 16th day of June, 1971 for the purchase of one S-531-562 Kirby L. H. B. #20 Vacuum Cleaner.

That in and by the terms of said agreement, the Defendants agreed to pay the sum of EIGHTEEN AND 13/100 (\$18.13) DOLLARS for twenty-four (24) equal installments, and that the Defendants have defaulted in said payments.

That in and by the terms of said agreement, that a default in any one installment then the holder had the option to declare the entire sum due and payable, and the Plaintiff now claims the entire sum due and payable.

That in and by the terms of said agreement, the Plaintiff's Assignor agreed to deliver said vacuum cleaner, and that the said vacuum cleaner is now in the possession of the Defendants, and that the Defendants have herein failed to pay said payments in accordance with the terms of said agreement, hence this suit.


ATTORNEY FOR PLAINTIFF

FILED

NOV 4 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

THE 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 SummonCLEVELAND SHOOTS and LILLIE SHOOTS, jointly
and severally

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.....

CLEVELAND SHOOTS and LILLIE SHOOTS

....., Defendant.....

byMERIT FINANCE CORPORATION

....., Plaintiff.....

Witness my hand this.....4.....day of.....Nov.....19..71

Eunice B. Blackmon, Clerk

⑦

No. 10,101 Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MERIT FINANCE CORPORATION

Plaintiffs

vs.

CLEVELAND SHOOTS & LILLIE SHOOTS

Defendants

SUMMONS AND COMPLAINT

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Clerk

EUNICE B. BLACKMON CIRCUIT CLERK

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

NOV 4 1971

TAYLOR WILKINS
SHERIFF

Defendant lives at

Mr. Shoots can be served at Kerr-McGee
Chemical Co., Foley, Ala.

Mrs. Shoots can be served at South
Baldwin Hospital, Foley, Alabama

Received in Office

Nov. 4 1971
Taylor Wilkins Sheriff

I have executed this summons

this 9 Nov. 1971
by leaving a copy with

Cleveland Shoots
Lillie Shoots

Sheriff claim 144 miles
Ten Cents per mile Total 1440
TAYLOR WILKINS, Sheriff
BY Roger Wynn Deputy Sheriff

Taylor Wilkins Sheriff
Roger Wynn Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

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Eunice B. Blakmon, Clerk

MEMO-LETTER

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

MESSAGE

REPLY

TO Mrs. Eunice Blackmon

Bay Minette, Ala.

DATE November 2, 1971

Re: Merit Finance Corporation vs. Cleveland

Shoots and Lillie Shoots

Dear Mrs. Blackmon:

Enclosed please find Bill of Complaint to be
filed together with copies of same and Summons
to be served.

Sincerely,

John V. Duck
(24)

SIGNED

DATE

10, 101

SIGNED

MERIT FINANCE CORPORATION, a
corporation,

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vs:

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IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

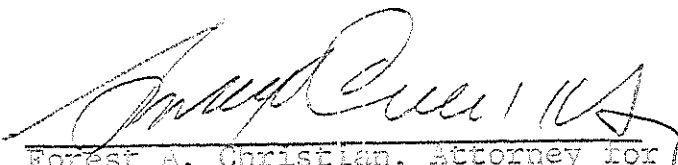
ALABAMA AT LAW

CASE NO. 10,101

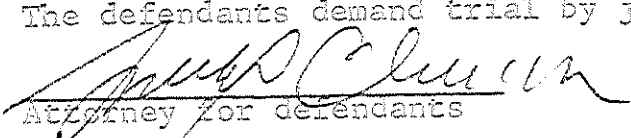
DEMURRER

Comes now each of the following defendants, separately and severally, Cleveland Shoots and Lillie Shoots, individually, and demurs to each count of the complaint filed herein, separately and severally, and for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

- 1) That it does not state facts sufficient to constitute a cause of action against these defendants.
- 2) For that it does not appear with sufficient certainty what duty, if any, these defendants may have owed to the plaintiff.
- 3) For that it does not appear with sufficient certainty wherein these defendants violated any duty owed by defendants to the plaintiff.

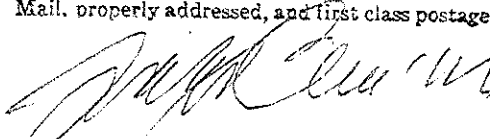

Forest A. Christian, Attorney for
defendants

The defendants demand trial by jury.


Attorney for defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this the _____
day of NOV 13 1971, 196 , 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.



FILED

NOV 19 1971

EUNICE B. BLACKMON CIRCUIT
CLERK