

10,141

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT IAW

CASE NO. 36936

Y. D. LOTT, JR. G. B. THAMES, d/b/a PERVEY'S AMBULANCE COMPANY N.J.

VS. Suit for \$2,500.00 damages to automobile (TORT)

T. DWIGHT REID ROSE MARIE BUSBY N.J.

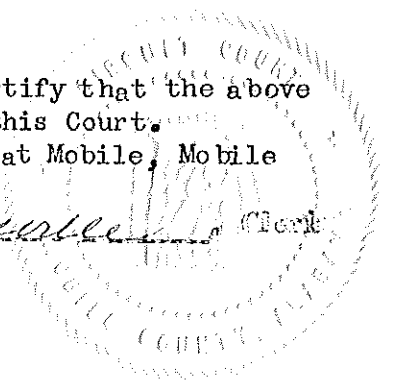
PLEADINGS, PROCESS, ETC,	FILING DATE	
1. Complaint & Summons	9-30-71	C & S served on Defendant on October 12, 1971.
2. Motion to Consolidate	11-18-71	

Defendant's motion filed November 18, 1971 for court to consolidate this action with Case No. 10053 in the Circuit Court of Baldwin County, Alabama Nove. 24, 1971 - Motion granted, case ordered transferred to Circuit Court of Baldwin County, Alabama 44-400 /s/ Joseph M. Hocklander - Judge.

10053
PAGE 69
704

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court. In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile, Mobile County, Alabama, on this the 2nd day of December 19 71.

John E. Mandeville Clerk



G. E. THAMES d/b/a
PERVEY'S AMBULANCE COMPANY,

Plaintiff,

vs.

ROSE MARIE BUSBY,

Defendant.

(IN THE CIRCUIT COURT OF

(MOBILE COUNTY, ALABAMA,

(AT LAW

(

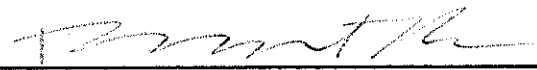
(

CASE NO. 36936

MOTION TO CONSOLIDATE CAUSES

Comes now the defendant in the above styled cause and moves this Honorable Court to consolidate this action with the case of Rose Marie Busby, Plaintiff, vs. Huey G. Bryant, George Purvey Thames individually and d/b/a Purvey's Ambulance, et al, being Case No. 10,053, in the Circuit Court of Baldwin County, Alabama, and for reason therefore says as follows:

1. These two causes of action arise out of the same facts and event.
2. Said causes of action cover the same parties.
3. Said causes of action can be adjudicated jointly and it is to the best interests of all parties concerned that said causes be consolidated.


T. DWIGHT REID, Attorney for
Defendant

Copy to: Hon. Y. D. Lott, Jr.
Hon. Donald F. Pierce

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th
day of Nov, 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.

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

Nov 18 10 42 AM '71

WEDNESDAY, NOVEMBER 24, 1971

G. B. THAMES, d/b/a PERVEY'S AMBULANCE COMPANY)	DEFENDANT'S MOTION FILED NOVEMBER
)	18, 1971 FOR COURT TO CONSOLIDATE
HOCKLANDER -vs- 36936)	THIS ACTION WITH CASE NO. 10053 IN
)	THE CIRCUIT COURT OF BALDWIN COUNTY,
)	ALABAMA - MOTION GRANTED, CASE ORDERED
ROSE MARIE BUSBY)	TRANSFERRED TO CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA.

This day in open Court came the parties by their attorneys, and defendant's motion filed November 18, 1971 for court to consolidate this action with Case No. 10053 in the Circuit Court of Baldwin County, Alabama, coming to to be heard and being argued by counsel and understood by the court;

It is ordered and adjudged by the Court that the Defendant's motion filed November 18, 1971 for court to consolidate this action with Case No. 10053 in the Circuit Court of Baldwin County, Alabama, be, and the same is hereby granted, and case ordered transferred to the Circuit Court of Baldwin County, Alabama for further proceedings.

Minute Book # 44

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STATE OF ALABAMA, }
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
certify that the foregoing is a full, true and correct copy of ORDER GRANTING THE DEFENDANT'S
MOTION FOR COURT TO CONSOLIDATE THIS ACTION WITH CASE NO. 10053 IN THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

entered
as ~~rendered~~ by the said Circuit Court on the 24th day of November, 19 71, in the cause
entitled No. 36936 - G. B. THAMES, d/b/a PERVEY'S AMBULANCE COMPANY

_____, Plaintiff,

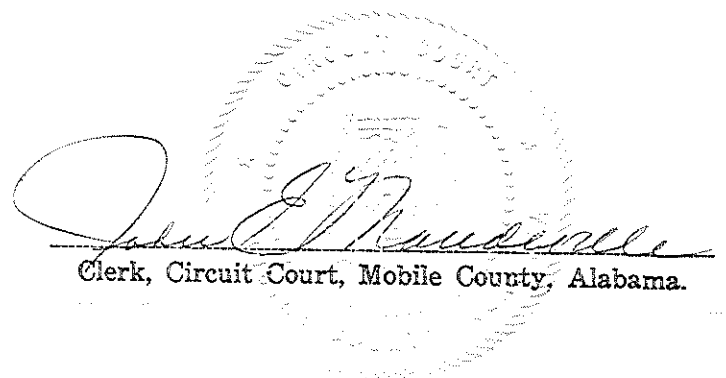
— versus — _____

ROSE MARIE BUSBY

Defendant, ~~together with the cancellation thereof~~, as the same remains of record in this office in
Minute Book No. 44, Page No. 400

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office
in the City of Mobile, Alabama, on this the 2nd day of December, 19 71

ATTEST:


Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

G. B. THAMES, d/b/a PERVEY'S AMBULANCE COMPANY

Plaintiff

ROSE MARIE BUSBY

Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Pltff.	Deft.	SHERIFF'S FEES	Pltff.	Deft.
Suits for \$100 or less \$ 6.00			Serving Summons & Complaints \$ 3.00	3 00	
Suits for over \$100 but less than \$1,000 10.00			Serving Writ of Garnishment 3.00		
Suits for \$1,000 and over 20.00	20 00		Serving Sci Fa-Notices 3.00		
Suits in detinue, ejectment, etc. 10.00			Serving Writ of Discovery 3.00		
Suits not otherwise provided 10.00			Levying Attachment & Return 12.00		
Writs, Mandamus, Prohibition, etc. 15.00			Executing Writ Possession 10.00		
Appeals from Court General Sessions 15.00			Seizing personal property under Writ of Detinue 12.00		
Appeals from Probate Court 20.00			Serving subpoenas, each 1.50		
Appeals from JP Courts 6.00			Impanelling Jury .75		
Appeals from State Dept of Pub. Safety, and other State Agencies 10.00			Taking & Approving Bond 4.00		
Workmen's Compensation Settle. 10.00			Collecting Costs Execution 3.00		
Garnishment on Judgment 6.00			Serving Contempt Writ 3.00		
Order of Sale, Motions to sell. 6.00			Making Deed for Property Sold 5.00		
Recording executions from State Agencies 3.00			Commission, collecting money on executions, 1st \$500-5% \$500-\$1000-4%, over \$1000-3%		
Cert. Copy of Record - per 100 words .15					
Taking Appeal Bond .75			Total \$ 3 00		
Record for Supreme Court etc., per 100 words .15					
Add'l Copies of Record for Supreme Court, per 100 words .05			RECAPITULATION		
Checking - including Reporters Transcript of Evidence 10.00			Clerk 20 00		
Certifying Abstract in lieu of Transcript on Appeal 5.00			Sheriff 3 00		
Collecting Money on Judgments over 30 days old, ½ the percentage allowed Sheriffs \$			Court		
			Witness Fees		
Total \$ 20 00	20 00		Commissioner's Fees		
			Certificate of Judgment		
			Judgment		
			10% Damages		
			Interest		
			Stenographer's fees (\$10.00 day)		
			Hospital Records		
			Advertisement		
			Garnishee's fees		
			Library Fee 1.50	1 50	
			Trial Tax (County) 1.50	1 50	
			Trial Tax (State) 1.50	1 50	
			Fair Trial Tax (State) 2.00	2 00	
			Court Adm. Fund 2.00	2 00	

\$ 31.50

I respectfully beg to advise that if this bill for costs is not paid before 19____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

Y. D. LOTT, JR.

Attorney at Law

March 9, 1972

SUITE 2400
FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA 36602

TELEPHONE
AREA CODE 205
432-8013

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

RE: G.B. Thames d/b/a Pervey's
Ambulance Company -vs- Rose
Marie Busby #10,053

Dear Mrs. Blackmon:

I have spoken to Attorney Dwight Reid, who represents Rose Marie Busby and the passengers in her vehicle in the subject case. I have also spoken to Mr. Donald Pierce who is defending the companion cases for the ambulance company that were removed by a plea and abatement filed by Mr. Dwight Reid here in Mobile County. At the time of the removal of these cases to Baldwin County a motion to consolidate the causes was granted also, apparently because there was not a demand for a Jury trial. The suit I filed for property damage on behalf of the ambulance company has been placed on your Non-Jury Civil docket for March 13-15, 1972.

All of the parties involved would appreciate it if you would consolidate this case with the companion cases and let us know when the trial date for these will be. If you find that it is required that I file a formal demand for a Jury trial or if any other pleadings or required, please inform me and I will make sure that they are done.

By carbon copy I am informing all of the attorneys of my request to the Court and if this is a sufficient letter to have this accomplished I will appreciate your acknowledgment that we do not have to be present on March 13 - 15 for this case. All of the attorneys are prepared to cooperate in any manner to have this case consolidated with the other and ask that it not be heard on March 13 - 15 in its present posture.

Yours very truly,

Y. D. Lott, Jr.
Y.D. LOTT, JR.

YDL/gt

cc: Judge Mashburn
Attorney Donald Pierce
Attorney Dwight Reid

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