

SAM CALDWELL

PLAINTIFF

H & W AUTO CRUSHERS, a pro-  
prietorship, partnership or corpora-  
tion, whose true identity is unknown,  
but will be added by amendment, and  
LARRY R. ROWELL, jointly and  
severally,

DEFENDANTS

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

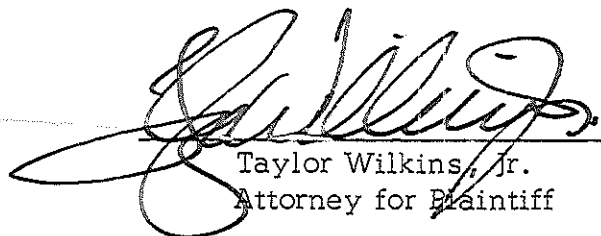
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 10,183

COUNT I.

Plaintiff claims of the Defendants, jointly and severally, the sum of THREE HUNDRED SIXTY-FIVE AND 41/100 (\$365.41) DOLLARS as damages for that heretofore and on, to-wit, March 3, 1971, the Defendant, Larry R. Rowell, while acting as an agent, servant or employee of Defendant, H & W Auto Crushers, a proprietorship, partnership or corporation, whose true identity is unknown but will be added by amendment, and who was then and there acting within the line and scope of his authority as such, so negligently operated an automobile truck on Alabama State Highway #42, a public road in the County of Baldwin, State of Alabama, at or near the intersection of said road with Baldwin County Road #49, a public road in said County and State, that the said automobile truck was run into, upon or against Plaintiff's automobile, and as a proximate result of the negligence of the Defendants as aforesaid, Plaintiff's automobile was damaged and demolished, all to the loss of the Plaintiff; hence this suit.

  
Taylor Wilkins, Jr.  
Attorney for Plaintiff

FILED

JAN 7 - 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK



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 H & W Auto Crushers, Larry R. Rowell

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.....

H & W Auto Crushers and Larry R. Rowell..... Defendants.....

by Sam Caldwell

..... Plaintiff.....

witness my hand this.....

.....day of.....

1972

Ernie B. Blackman, Clerk



No. 10,183

Page.....

STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

SAM CALDWELL

Plaintiffs

VS.

H & W AUTO CRUSHERS and

LARRY R. ROWELL

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** 19.....

JAN 7 - 1972

Clerk

EUNICE B. BLACKMON CIRCUIT  
CLERK

JAN 7 1972

TAYLOR WILKINS  
SHERIFF

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

785  
Defendant lives at  
H&W-Soso, Mississippi  
Rowell - Lucedale, Mississippi

RECEIVED IN OFFICE

Received In Office

JAN 10 1972

M. S. BUTLER, Sheriff

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of.....

the within on M. Amer

Secretary of State of The State of

ALABAMA.

This the 12 day of Jan 19 72

Sheriff of Montgomery County

M. S. Butler,

By M. S. Butler D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 2 process(es) and \$1.00

travel expense on each of 250

process(es) or a total of 250 Sheriff

M. S. Butler Deputy Sheriff



SAM CALDWELL

PLAINTIFF

VS

H & W AUTO CRUSHERS, a pro-  
prietorship, partnership or corpora-  
tion, whose true identity is unknown,  
but will be added by amendment, and  
LARRY R. ROWELL, jointly and  
severally,

DEFENDANTS

STATE OF ALABAMA

BALDWIN COUNTY

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

X

AT LAW

X

X

X

X

X

CASE NO:

COMES NOW Taylor Wilkins, Jr., attorney of record for the Plaintiff in  
this cause, being duly sworn on oath, deposes and says:

That in belief of such affiant, Defendants, H & W Auto Crushers, owners  
of one of the vehicles referred to in the complaint, and Larry R. Rowell, the  
operator of one of the vehicles referred to in the complaint, are non-residents of  
the State of Alabama and are not qualified under the laws of the State of Alabama  
as a non-resident doing business in the State of Alabama;

That to the best of affiant's knowledge, information and belief, the  
Post Office addresses of said defendants are as follows:

H & W Auto Crushers

Soso, Mississippi, 39480

Larry R. Rowell

Route 2, Box 473

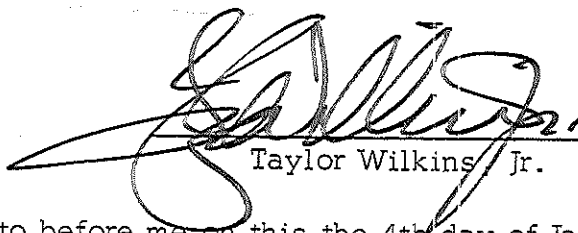
Lucedale, Mississippi, 39452

The Plaintiff request that process shall be issued as provided for by  
Title 7, Section 199, Code of Alabama, recompiled, 1958 as amended.

FILED

JAN 7 - 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

  
Taylor Wilkins, Jr.

Subscribed and sworn to before me on this the 4th day of January, 1972.

  
Notary Public



**FILED**

MAR 31 1972

March 28, 1972

EUNICE B. BLACKMON  
CIRCUIT  
CLERK

SAM CALDWELL, Plaintiff

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

VS

MIKE S. HOLIFIELD, et al Defendants

CASE NO. 101,83

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on  
I sent by certified mail in an envelope addressed as follows:

March 20, 1972

“

Mike S. Holifield  
Route 7  
Laurel, Mississippi 39440“Certified Mail—  
Return Receipt Requested  
Deliver to Addressee Only”bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of  
the State of Alabama in words and figures as follows:

“

Mike S. Holifield  
Route 7  
Laurel, Mississippi 39440You will take notice that on March 20, 1972 the Sheriff of Montgomery  
County, Alabama, served upon me, in my official capacity, summons and complaint in a  
case entitled: SAM CALDWELL, Plaintiff VS MIKE S. HOLIFIELD, et al Defendantsin the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW  
Case No. 10,183 a true copy of which summons and complaint is attached hereto  
and the said service upon me as Secretary of State of the State of Alabama has the force and  
effect of personal service upon you.WITNESS MY HAND and the Great Seal of the State of Alabama this the 20th  
day of March 1972

Enclosure (1)

(Signed) Mabel Amos  
Secretary of State”I further certify that the notice above set out which was so mailed in the envelope addressed  
as above set forth had attached to it a true copy of the summons and complaint in the above-styled  
cause.I further certify that on 3/28/72 I received the return card, showing  
receipt by the designated addressee of the aforementioned matter at LAUREL, MS  
on 3/27/72WITNESS MY HAND and the Great Seal of the State of Alabama this the 28th day  
of March, 1972  
MABEL S. AMOS  
Secretary of StateEnclosures: Return Receipt Card and copy  
of Summons and Complaint.CC: Honorable Taylor Wilkins, Jr.  
P. O. Box 61  
Bay Minette, Alabama 36507



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 Mike S. Holifield - Rt 2

Laurel, Miss - 39440

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.....

Mike S. Holifield and Larry R. Rowell Defendant.....

by Sal Caldwell

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

witness my hand this 15 day of March 1972

Ernie B. Blackman Clerk



SAM CALDWELL

PLAINTIFF

VS

MIKE S. HOLIFIELD and LARRY R.  
ROWELL, jointly and severally,

DEFENDANTS

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

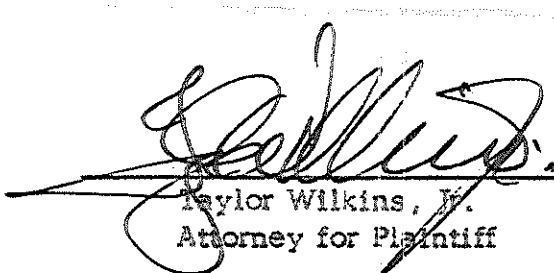
AT LAW

CASE NO: 10,183

AMENDED COMPLAINT

Comes now the Plaintiff in the above styled cause, and amends his bill of complaint heretofore filed in this cause, by striking as a party defendant, H & W Auto Crushers, and substitutes therfor as a party defendant, Mike S. Holifield, so that the style of this cause shall be as above stated.

Plaintiff claims of the Defendants, jointly and severally, the sum of THREE HUNDRED SIXTY-FIVE AND 41/100 (\$365.41) DOLLARS as damages for that heretofore and on, to-wit, March 3, 1971, the Defendant, Larry R. Rowell, while acting as an agent, servant or employee of Defendant, Mike S. Holifield, and who was then and there acting within the line and scope of his authority as such, so negligently operated an automobile truck on Alabama State Highway #42, a public road in the County of Baldwin, State of Alabama, at or near the intersection of said road with Baldwin County Road #49, a public road in said County in said State, that the said automobile truck was run into, upon or against Plaintiff's automobile, and as a proximate result of the negligence of the Defendants as aforesaid, Plaintiff's automobile was damaged and demolished, all to the loss of the Plaintiff; hence this suit.

  
Taylor Wilkins, Jr.  
Attorney for Plaintiff

**FILED**

MAR 15 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK



SAM CALDWELL

PLAINTIFF

VS

MIKE S. HOLIFIELD and LARRY R.  
ROWELL, jointly and severally

DEFENDANTS

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 10,183

STATE OF ALABAMA

BALDWIN COUNTY

Comes now Taylor Wilkins, Jr., attorney of record for the Plaintiff in  
this cause, being duly sworn on oath, deposes and says:

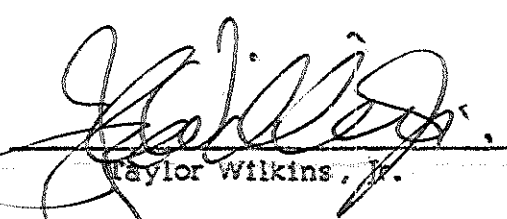
That in belief of such affiant, Defendants, Mike S. Holifield, owner of  
one of the vehicles referred to in the complaint, and Larry R. Rowell, the  
operator of one of the vehicles referred to in the complaint, are non-residents  
of the State of Alabama and are not qualified under the laws of the State of  
Alabama as a non-resident doing business in the State of Alabama;

That to the best of offiant's knowledge, information and belief, the  
Post office addresses of said defendants are as follows:

Mike S. Holifield  
Route 7  
Laurel, Mississippi, 39440

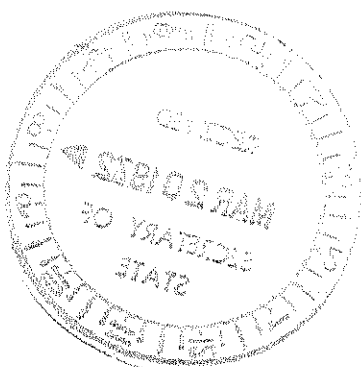
Larry R. Rowell  
Route 2, Box 473  
Lucedale, Mississippi, 39452

The Plaintiff request that process shall be issued as provided for by  
Title 7, Section 199, Code of Alabama, recompiled, 1958 as amended.

  
Taylor Wilkins, Jr.

Subscribed and sworn to before me on this the 8th day of March, 1972.

  
Notary Public







MABEL S. AMOS  
SECRETARY OF STATE

STATE OF ALABAMA  
OFFICE OF SECRETARY OF STATE  
MONTGOMERY, ALABAMA 36104  
269-6185  
AREA CODE 205

February 17, 1972

Honorable Taylor Wilkins, Jr.  
P. O. Box 61  
Bay Minette, Alabama 36507

Dear Mr. Wilkins:

Re: SAM CALDWELL VS LARRY R. ROWELL, et al, Defendants

Please refer to your file in the above-styled cause and be advised that on January 12, 1972, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

Larry R. Rowell  
Route 2, Box 473  
Lucedale, Mississippi 39452

On February 3, 1972, this letter (Certified No. 52984) was returned to me with reason for non-delivery given as "UNCLAIMED".

If you would like to further pursue service on this defendant, according to the provisions of Title 7, Section 199, an additional \$2.00 deposit will enable me to attempt personal service by local law enforcement officers.

Will you please advise me as to any further steps you wish me to take in perfecting this service.

Yours very truly,

Mabel S. Amos  
Secretary of State

fc

CC: Honorable Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Court House  
Bay Minette, Alabama 36507



10, 183

10, 183

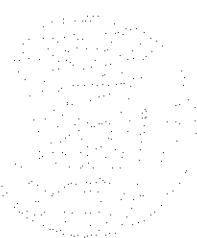
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10, 183





MABEL AMOS  
SECRETARY OF STATE

STATE OF ALABAMA  
OFFICE OF SECRETARY OF STATE  
MONTGOMERY, ALABAMA 36104

February 2, 1972

Hon. Taylor D. Wilkins, Jr.  
P.O. Box 61  
Bay Minette, Alabama 36507

Dear Mr. Wilkins:

Re: SAM CALDWELL vs H & W AUTO CRUSHERS, et al

Please refer to your file in the above-styled cause and be advised that on January 12, 1972, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

H & W Auto Crushers  
Soso, Mississippi 39480

On January 18, 1972, this letter (Certified No. 52974 ) was returned to me with reason for non-delivery given as Moved, left no address

Will you please advise me as to any further efforts you wish me to make in perfecting this service.

Yours very truly,

Mabel S. Amos  
Secretary of State

cc: Hon. Eunice B. Blackburn, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama 36507



SAM CALDWELL	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW
MIKE S. HOLIFIELD and LARRY R. ROWELL, jointly and severally,	X	
DEFENDANTS	X	CASE NO: 10,183
	X	

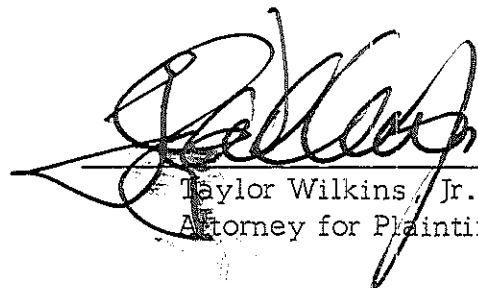
AMENDED COMPLAINT

Comes now the Plaintiff in the above styled cause, and amends his bill of complaint heretofore filed in this cause, by striking as a party defendant, H & W Auto Crushers, and substitutes therfor as a party defendant, Mike S. Holifield, so that the style of this cause shall be as above stated.

Plaintiff claims of the Defendants, jointly and severally, the sum of THREE HUNDRED SIXTY-FIVE AND 41/100 (\$365.41) DOLLARS as damages for that heretofore and on, to-wit, March 3, 1971, the Defendant, Larry R. Rowell, while acting as an agent, servant or employee of Defendant, Mike S. Holifield, and who was then and there acting within the line and scope of his authority as such, so negligently operated an automobile truck on Alabama State Highway #42, a public road in the County of Baldwin, State of Alabama, at or near the intersection of said road with Baldwin County Road #49, a public road in said County in said State, that the said automobile truck was run into, upon or against Plaintiff's automobile, and as a proximate result of the negligence of the Defendants as aforesaid, Plaintiff's automobile was damaged and demolished, all to the loss of the Plaintiff; hence this suit.

MAR 15 1972

JAYLOR WILKINS  
SHERIFF

  
Taylor Wilkins, Jr.  
Attorney for Plaintiff

**FILED**

MAR 15 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK



SAM CALDWELL	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW
MIKE S. HOLIFIELD and LARRY R. ROWELL, jointly and severally	X	
DEFENDANTS	X	CASE NO: 10,183
	X	

STATE OF ALABAMA

BALDWIN COUNTY

Comes now Taylor Wilkins, Jr., attorney of record for the Plaintiff in this cause, being duly sworn on oath, deposes and says:

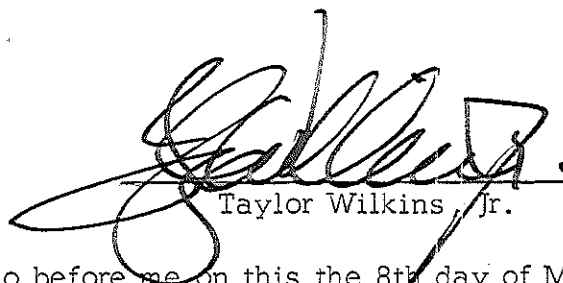
That in belief of such affiant, Defendants, Mike S. Holifield, owner of one of the vehicles referred to in the complaint, and Larry R. Rowell, the operator of one of the vehicles referred to in the complaint, are non-residents of the State of Alabama and are not qualified under the laws of the State of Alabama as a non-resident doing business in the State of Alabama;

That to the best of offiant's knowledge, information and belief, the Post office addresses of said defendants are as follows:

Mike S. Holifield  
Route 7  
Laurel, Mississippi, 39440

Larry R. Rowell  
Route 2, Box 473  
Lucedale, Mississippi, 39452

The Plaintiff request that process shall be issued as provided for by Title 7, Section 199, Code of Alabama, recompiled, 1958 as amended.

  
Taylor Wilkins, Jr.

Subscribed and sworn to before me on this the 8th day of March, 1972.

  
Notary Public



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 .....Mike S. Holifield and Larry R. Rowell.....

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.....

...Mike S. Holifield and Larry R. Rowell..... Defendant.....

by .....Sal Caldwell.....

..... Plaintiff.....

witness my hand this.....15.....day of.....March..... 1922

Ernie B. Blackman, Clerk



No. 10,183

Page.....

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Sam Caldwell

Plaintiffs

VS.

Mike S. Holifield and Larry R. Rowell

Defendants

*Amended*  
SUMMONS AND COMPLAINT

**FILED**

Filed ..... 19.....

MAR 15 1972

Clerk

EUNICE B. BLACKMON  
CIRCUIT CLERK

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

1690  
*Service on Sec. of State*

Defendant lives at

RECEIVED IN OFFICE

Received In Office  
MAR 17 1972

M. S. BUTLER, Sheriff

19.....

Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

Executed by serving *3* copies of

the within on *McMurry*

Secretary of State of The State of

Alabama.

on the *21* day of *Mar* 19 *72*

at *Montgomery*

Sheriff of Montgomery County

M. S. Butler,

By *McMurry* D.S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving *1* process(es) and \$1.00

travel expense on each of *1*

process(es) or a total of *2.50*

Sheriff

*McMurry* Deputy Sheriff

Deputy Sheriff



SAM CALDWELL VS MIKE S. HOLIFIELD (10,183)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show to whom, date and address  
where delivered



Deliver ONLY  
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

52089

INSURED NO.

DATE DELIVERED

MAR 27 1972

1

*Mike S. Holifield*

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to addressee only

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



U.S. POSTAL SERVICE  
OFFICIAL BUSINESS



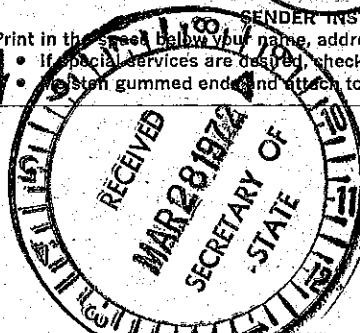
PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

Postmark of Delivering Office

PS Form 3811 Nov. 1970 635-16-81277-1

**SENDER INSTRUCTIONS**  
Print in the space below your name, address, including ZIP Code.  
• If special services are desired, check block(s) on other side.  
• Seal gummed ends and attach to back of article.

**RETURN  
TO**



**SECRETARY OF STATE**  
MONTGOMERY, ALABAMA 36104