

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James D. Shiver to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Baldwin County Bank, a Corporation.

Witness my hand this the _____ day of _____, 1972.

Defendant may be served:

Clerk

Redhill Road
Bay Minette, Alabama.

BALDWIN COUNTY BANK,
A Corporation,

Ø

IN THE CIRCUIT COURT OF

Plaintiff,

Ø

BALDWIN COUNTY, ALABAMA

Vs.

Ø

AT LAW

JAMES D. SHIVER,

Ø

Defendant.

Ø

NUMBER: 10202

II

The Plaintiff claims of the Defendant the sum of Two Thousand Eight Hundred Fifty-one and 20/100 (\$2,851.20) Dollars on a note made by him on the 10th day of October, 1971 and payable on the 27th day of November, 1971 with interest thereon.

The note contains provision for a reasonable Attorney's fee and waiver of exemption whereof Plaintiff claims benefit.

III

The Plaintiff claims of the Defendant the sum of Nine Hundred Nine and No/100 (\$909.00) Dollars on a note made by him on the 25th day of September, 1971 and payable on the 27th day of October, 1971 with interest thereon.

The note contains provision for a reasonable Attorney's fee and waiver of exemption whereof Plaintiff claims benefit.

FILED

JAN 19 1972

EUNICE B. BLACKMON
CIRCUIT
CLERK

Wilson Hayes
Wilson Hayes
Attorney for Plaintiff

STATE OF ALABAMA }
Baldwin County

CIRCUIT COURT

No.

19.....

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon

JAMES D. SHIVER

Route 1, Box 42 (Redhill Road)

Bay Minette, Alabama

to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County

at the place of holding the same, then and there to answer the complaint of

BALDWIN COUNTY BANK, a Corporation

Witness my hand this 19..... day of

1972

Lucille B. Blackner Clerk

COMPLAINT

BALDWIN COUNTY BANK,

JAMES D. SHIVER

A Corporation

Plaintiff...

Versus

Defendant....

The plaintiff... claims of the defendant the following personal property, to-wit:

1971-1972 Dodge Colt, 4 dr. Sedan, Serial Number 6H41-K15-181713

1967 Dodge Coronet, Serial Number W1&41F77168209

Alternate value of \$3,760.90

with the value of the hire or use thereof during the detention, to-wit:

from October 25..... 1971, to January 19..... 1972

Wilson Hayes
Wilson Hayes

Plaintiff's Attorney

No. 10202 Page.....

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

BALDWIN COUNTY BANK

A Corporation

Plaintiff....

VS.

JAMES D. SHIVER

Defendant....

Detinue Summons and Complaint

Filed 19.....

FILED

Clerk

JAN 19 1972

EUNICE B. BLACKMON
CIRCUIT
CLERK

Wilson Hayes

Plaintiff's Attorney

Defendant's Attorney

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will within thirty days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

Eunice B. Blackmon Clerk

Defendant lives at

Received in office

Jan. 19 19*72*
Taylor Wilkins Sheriff

I have executed this summons

this *Jan 20* 19*72*
by leaving a copy with

James D Shiver

*No Property
Found*

Taylor Wilkins Sheriff
W. A. Zeller Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

3 miles West of Biv

BALDWIN COUNTY BANK,
A Corporation,

Plaintiff,

Vs.

JAMES D. SHIVER,

Defendant.

X IN THE CIRCUIT COURT OF

X BALDWIN COUNTY, ALABAMA

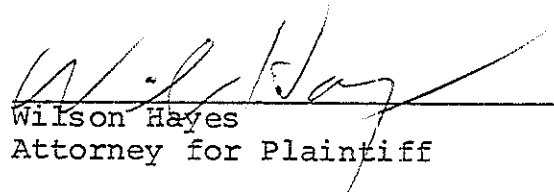
X AT LAW

X

X NUMBER: 10,202

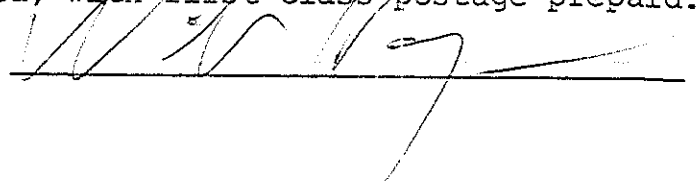
Comes now Plaintiff in the above styled cause and
moves to strike the motion to stay heretofore filed by Defendant
for that the said motion comes late and is therefore moot.

Respectfully moved.


Wilson Hayes
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 14 day of Feb,
1972, 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, with first class postage prepaid.



FILED

FEB 15 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

BALDWIN COUNTY BANK, a Corporation,)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
vs.)	AT LAW
JAMES D. SHIVER,)	
Defendant.)	CASE NO. 10,202

MOTION TO STAY

Comes the Defendant in the above styled cause, by and through his attorney, Irving Silver, and shows unto this Honorable Court as follows:

That on, to-wit: the 1st day of February, 1972, the said Defendant filed a proceeding under the Bankruptcy Act as amended in the U. S. District Court for the Southern District of Alabama, Southern Division, Case No. 32,477; that his property and assets, both presently and in the future, are under the jurisdiction and control of said District Court.

WHEREFORE, said Defendant moves this Honorable Court to stay and hold in abeyance, all further matters in this proceeding.

FEIBELMAN & SILVER
Attorneys for Defendant

By 
Irving Silver

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd

day of February, 1972, 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.


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FILED

FEB 7 1972

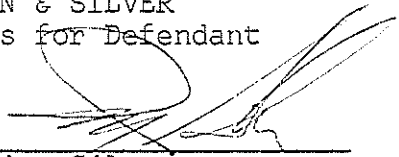
EUNICE B. BLACKMON CIRCUIT CLERK

BALDWIN COUNTY BANK,)	IN THE CIRCUIT COURT OF
a corporation,)	
)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
vs.)	AT LAW
)	
JAMES D. SHIVER,)	
)	CASE NO. 10,202
Defendant.)	

JURY DEMAND

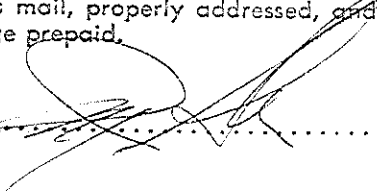
For the trial of this cause, Defendant respectfully demands a trial by jury.

FEIBELMAN & SILVER
Attorneys for Defendant

By 
Irving Silver

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 25th
day of February, 1972, 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

FEB 25 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

BALDWIN COUNTY BANK,
a Corporation,

Plaintiff,

Vs.

JAMES D. SHIVER,

Defendant.

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

X

AT LAW


X

NUMBER: 10,202

X

MOTION TO STRIKE JURY DEMAND

Comes now Plaintiff in the above styled cause and moves the court to strike the Defendant's demand for jury trial filed February 25, 1972 for that the same comes late, being not endorsed on the first pleadings of the appearance of the Defendant.


Wilson Hayes
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3 day of March 1972, 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, with first class postage prepaid.


FILED

MAR 7 1972

EUNICE B. BLACKMON
CIRCUIT
CLERK

FILED

MAR 7 1972

EUNICE B. BLACKMON
CIRCUIT
CLERK

STATE OF ALABAMA
Baldwin County

IN THE CIRCUIT COURT OF
Baldwin County

Before me, _____, a Notary Public in and for said County,
personally appeared _____ who being by me
duly sworn deposes and says that the property sued for in the complaint of _____
Baldwin County Bank, a Corporation _____ filed in said Court, to-wit:
1971-1972 Dodge Colt, 4 dr. Sedan, Serial Number 6H41-K15-181713
1967 Dodge Coronet, Serial Number W1&41F77168209

belongs to Baldwin County Bank, a Corporation _____ the plaintiff.

Sworn to and subscribed before me this 17
day of Jan, 1972
[Signature]
Notary Public

[Signature]

STATE OF ALABAMA
Baldwin County

IN THE CIRCUIT COURT OF
Baldwin County

KNOW ALL MEN BY THESE PRESENTS. That we, _____
BALDWIN COUNTY BANK, a Corporation _____, Principal, and
WILSON HAYES _____, Surities, are held and
firmly bound unto James D. Shiver _____, his heirs, executors and admin-
istrators in the sum of Fifty (\$50) _____ Dollars,
for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the _____ day of _____, 19____

The condition of the above obligation is such that whereas, the above bound _____
Baldwin County Bank, a Corporation _____ has on the _____ day of _____
_____, 19____ sued out a writ of detinue in the Circuit Court of _____
Baldwin County, Alabama _____ for the recovery of the following
described property, to-wit:

1971-1972 Dodge Colt, 4 dr. Sedan, Serial Number 6H41-K15-181713
1967 Dodge Coronet, Serial Number W1&41F77168209

Now if the said Baldwin County Bank, a Corporation _____ shall fail in said suit
and shall pay to the said James D. Shiver _____, the defendant in
said suit, all such costs and damages he may sustain by the wrongful complaint, then this obligation to
be void, otherwise, to remain in full force and effect.

BALDWIN COUNTY BANK
Taken and approved this 19 day of Jan, 1972 By: [Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)
Clerk, Circuit Court

No. _____

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

BALDWIN COUNTY BANK,
A Corporation

Plaintiff

VS.

JAMES D. SHIVER

Defendant

Detinue — Affidavit and Bond

Filed this _____ day of _____ 19____

Clerk

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

February 29, 1972

* Mrs. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507


Re: Baldwin County Bank Vs.
Shivers, #10,202

* Dear Eunice:

Please file the enclosed Motion to Strike
Jury Demand in the above noted case.

With kind regards, I am

Yours very truly,


Wilson Hayes

mm
Enc.

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

February 14, 1972

Mrs. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507

Re: Baldwin County Bank
Vs. James D. Shiver, #10,202

Dear Mrs. Blackmon:

Please file the enclosed motion to strike
the motion to stay heretofore filed by Defendant.

With kind regards, I am

Yours very truly,



Wilson Hayes

WH/mm
Enc.