

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

INTERSTATE SECURITIES CO., INC.)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY, ALABAMA
Vs.)	
JOHNNIE LEE MASON)	
Defendant)	
SUMLIN & SUMLIN General)	
Contractors)	
GARNISHEE)	CIVIL ACTION NO: 10,476

WRIT OF GARNISHMENT

WHEREAS, at a regular session of the Circuit Court of Baldwin County, Alabama, on, to-wit, the 5th Day of October, 1972, being a regular day of said term, the Plaintiff recovered a judgment against the Defendant for the sum of \$1,485.44 and costs of said suit; and

WHEREAS, DANIEL A. BENTON, of the Law Firm of BAILEY, TAYLOR & BENTON, P. O. Box 361, Fairhope, Alabama has made affidavit as required by law that SUMLIN & SUMLIN, General Contractors, hereinafter called the Garnishee, is believed to have control or possession of money or effects belonging to Defendant or is believed to be indebted to said defendant or liable to Defendant on a contract for the delivery of personal property or for the payment of money which may be discharged by the delivery of personal property or which is payable in personal property, and that affiant believes that process of garnishment is necessary to obtain satisfaction of the judgment:

You are therefore commanded to summon the said Garnishee to be and appear at the Circuit Court of Baldwin County, Alabama, within 30 days from the service of this writ, then and there to answer on oath whether at the time of this service of garnishment or at the time of making its answer or at any time intervening

between the time of serving the garnishment and making the answer, the said Garnishee was indebted to the Defendant; whether said Garnishee will not be indebted in the future to said Defendant by a contract then existing, and whether by contract then existing said Garnishee is liable to said Defendant for the delivery of personal property or for the payment of money which may be discharged by the delivery of personal property or which is payable in personal property, and whether said Garnishee has not in its possession or under its control money or effects belonging to the Defendant.

The debt for which said judgment was awarded was not incurred under a transaction subject to the garnishment limitations of the State of Alabama, and if your said answer shows an indebtedness due or to become due by the garnishee to the defendant, you are further to answer whether or not such indebtedness is for wages, salaries or other compensation of laborers or employees for personal services, and, if so, you are commanded to withhold the lesser of (a) 25% of the disposable earnings for that week or (b) the amount by which disposable earnings for that week exceeds 30 times the federal minimum hourly wage in effect when payable, disposable earnings being that part of earnings remaining after deduction of amounts required by law to be withheld, such sums to be withheld during such a period of time as is necessary to accumulate a sum equal to the amount of judgment and costs, at which time you will pay the same to the Clerk of this court. Should the employment of the Defendant terminate, you must report said termination to the Clerk of the Court within 15 days after termination and pay all withheld sums to the Clerk.

WITNESS my hand and seal this 24 day of June, 19 75

Eunice B. Blackmon
CIRCUIT CLERK, Baldwin County, Alabama

ISSUED THIS 24 DAY OF June, 1975.

RECEIVED

JUN 24 1975

THOMAS H. BENTON
SHERIFF

JUN 23 11 20 AM '75

Received 26 Day of June 1975
and on 30 Day of June 1975
I received a Copy of the within Garnishment
on Sumlin & Sumlin General
Contractors
by service on Mr. Sumlin, President.

THOMAS J. PURVIS Sheriff
By E. Johnson

Johnson
10,476½
EJ

11696

INTERSTATE SECURITIES CO.

VS:

JOHNNIE LEE MASON

6-30x

GARNISHEE: SUMLIN & SUMLIN GENERAL
CONTRACTORS
Mr. Sumlin, Pres.
2860 Mill Road, Mobile, Alabama

WRIT OF GARNISHMENT

DANIEL A. BENTON
ATTORNEY FOR THE PLAINTIFF

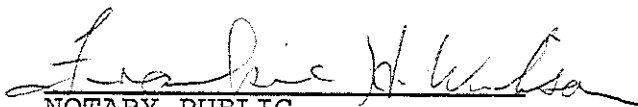
AFFIDAVIT IN GARNISHMENT ON JUDGMENT

STATE OF ALABAMA)	IN THE CIRCUIT COURT OF
COUNTY OF BALDWIN)	BALDWIN COUNTY, ALABAMA
INTERSTATE SECURITIES CO. INC)		
Plaintiff)	
Vs.)	
JOHNNIE LEE MASON)	
Defendant)	
SUMLIN & SUMLIN General)	
Contractors)	
GARNISHEE)	CIVIL ACTION NO: 10,476 ^{1/2}

Before me, a Notary Public in and for said State and County, personally appeared Daniel A. Benton, who, being duly sworn, deposes and says that the plaintiff in the above-styled cause recovered a judgment at a regular term of the Circuit Court of Baldwin County, Alabama, on the date recited in the above writ of garnishment against the Defendant for the sum of \$1,485.44 and the further sum of \$33.40 , costs of suit, and that the Garnishee is believed to have in its possession or under its control money or effects belonging to the Defendant or that it is believed to be indebted to the Defendant or liable to said Defendant on a contract for the delivery of personal property on a contract for the payment of money which may be discharged by the delivery of personal property or which is payable in personal property.


AFFIANT

Sworn to and subscribed before me this 23rd DAY of June,
19 75.


NOTARY PUBLIC

FILED

JUN 24 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

State of Alabama

BALDWIN COUNTY

TO JOHNNIE LEE MASON, Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.....

INTERSTATE SECURITIES CO., INC.

Plaintiff,

versus JOHNNIE LEE MASON, Defendant,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which.....

SUMLIN & SUMLIN GENERAL CONTRACTORS, 2860 Mill Road, Mobile, Alabama

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 24

day of June, 1975

Eunice B. Blackmon
Clerk of the Circuit Court.

RECEIVED

JUN 24 1975

THOMAS W. BENTON
SHERIFF

EXECUTED

This 30 day of June, 1975
by serving a copy of the within on
Johnnie Lee Mason
THOMAS J. PURVIS, Sheriff
By *E. Johnson* D. S.

#10,476 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

JOHNNIE LEE MASON

Dial Street

Prichard, Alabama

INTERSTATE SECURITIES, CO, INC

Plaintiff.....

VS.

JOHNNIE LEE MASON

DEFENDANT

SUMLIN & SUMLIN GENERAL

CONTRACTORS,

GRANISHEE

Defendant.....

DEFENDANT MAY BE SERVED AT

DIAL STREET,
PRICHARD, ALABAMA

DAN B.

SUMLIN & SUMLIN

General Contractors

GUY W. SUMLIN
MARVIN W. SUMLIN

504 Western Drive
~~2501 XXXX STREET~~
MOBILE, ALABAMA 36607
PHONE (205) 473-8637

June 30, 1975

Eunice B. Blackmon
Circuit Clerk
Circuit Court of Baldwin County
Baldwin County, Alabama
100 Court House Square
Bay Minette, AL 36507

RE: Interstate Securities Co., Inc., Plaintiff

vs. Your Case #10,476

Johnnie Lee Mason, Defendant

Sumlin & Sumlin, General Contractors, Inc., Garnishee

COMES NOW, Sumlin & Sumlin, General Contractors, Inc., the
Garnishee in the above styled case and in Answer to said
Notice to Garnishee sets out the following:

1. Said Defendant, Johnnie Lee Mason, is presently employed
by Sumlin & Sumlin.

However, at this time, said Defendant is under Garnishee,
Mobile County Case No. 47484, with a balance of \$708.14
still to be taken out of his checks.

Sincerely yours,
SUMLIN & SUMLIN, General Contractors, Inc.



Guy W. Sumlin
President

FILED

JUN 30 1975

GWS/bh

EUNICE B. BLACKMON
CIRCUIT
CLERK

10,476 1/2

BAILEY, TAYLOR & BENTON

ATTORNEYS AT LAW
61 NORTH SECTION STREET
P. O. BOX 361

FAIRHOPE, ALABAMA 36532

ERNEST M. BAILEY
LLOYD E. TAYLOR
DANIEL A. BENTON

TELEPHONES
(205) 928-2393
(205) 928-2308

July 16, 1975

Mr. Guy W. Sumlin, President
Sumlin & Sumlin, General Contractors
504 Western Drive
Mobile, Alabama 36607

Re: Interstate Securities v. Johnnie Lee Mason

Dear Mr. Sumlin:

I am in receipt of a photocopy of your letter addressed to the Circuit Clerk of Baldwin County, Alabama, concerning the garnishment on Johnnie Lee Mason.

Although your answer was not in proper form and not properly sworn to, I am refraining from taking any action against Sumlin & Sumlin in the matter and am requesting that the Circuit Court leave this matter in abeyance pending the pay-off of the original garnishment in the Mobile County case.

When the Mobile case is paid off, please begin making payments into the Circuit Court of Baldwin County, but, in the event Johnnie Lee Mason leaves your employment, please advise this office and the Baldwin County Circuit Clerk immediately.

We are the first to realize that garnishments are a pain in the neck and we wish that there were some better way of collecting debts from people under our legal system, but this is the system we have and we all have to live with it.

I am very sorry for the inconvenience that this matter has caused you, because I know it must cause a terrible bookkeeping headache in addition to having to receive and send correspondence concerning the matter.

Mr. Guy W. Sumlin

Page 2

July 16, 1975

I thought it may help to let you know that I don't care for garnishments any more than you do, and, if I can be of any assistance in this matter, please give me a call.

Yours very truly,



Daniel A. Benton

DAB:w

cc-Mrs. Eunice Blackmon
Clerk of the Circuit Court

SUMLIN & SUMLIN

General Contractors

GUY W. SUMLIN
MARVIN W. SUMLIN

504 Western Drive
~~XXXXXXXXXX~~
MOBILE, ALABAMA 36607
PHONE (205) 473-8637

August 8, 1975

Eunice B. Blackmon
Circuit Clerk
Circuit Court of Baldwin County
Baldwin County, Alabama
100 Court House Square
Bay Minette, AL 36507

RE: Interstate Securities Co., Inc., Plaintiff

vs. Your Case #10,476

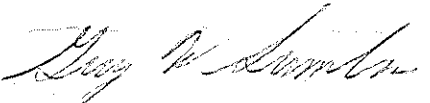
Johnnie Lee Mason, Defendant

SUMLIN & SUMLIN, General Contractors, Inc.

Dear Ms. Blackmon:

The above referenced defendant, Johnnie Lee Mason, has this date left our employ.

Sincerely yours,
SUMLIN & SUMLIN, General Contractors, Inc.



Guy W. Sumlin
President

GWS/bh

FILED

AUG 12 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

BAILEY, TAYLOR & BENTON

ATTORNEYS AT LAW
61 NORTH SECTION STREET
P. O. BOX 361

FAIRHOPE, ALABAMA 36532

ERNEST M. BAILEY
LLOYD E. TAYLOR
DANIEL A. BENTON

TELEPHONES
(205) 928-2393
(205) 928-2308

August 18, 1975

Honorable Telfair J. Mashburn
Judge of the Circuit Court
Bay Minette, Alabama 36507

Re: Interstate Securities Company
v. Johanie Lee Mason
Case No. 10,476

Dear Judge Mashburn:

We respectfully request that the garnishment in the above
styled matter be dismissed, as the defendant has left the
employment of the garnishee.

Respectfully submitted,


Daniel A. Benton

W

DAB:w
cc-Mrs. Eunice Blackmon
Clerk of the Circuit Court
cc-Interstate Securities Company
Fairhope, Alabama