

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon David McBride

to appear within thirty days from the date 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 Mid-State Homes, Inc.

Witness my hand this 8th day of August, 1912.

Erinice B. Blackmon
CLERK

MID-STATE HOMES, INC.,
a corporation
PLAINTIFF,

VS.

DAVID McBRIDE

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,539

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the following tract of land in Baldwin County, Alabama

The one acre joining on the West of the acre in the Southeast corner of the South half of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 8, Township 5 South, Range 3 East.

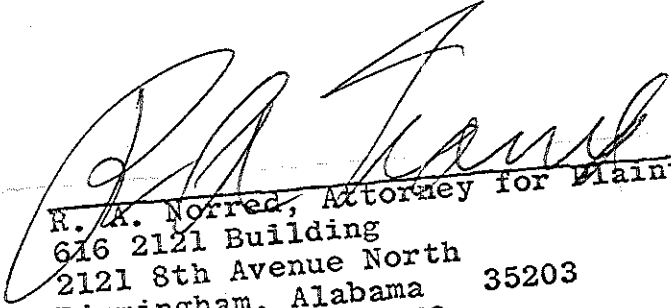
of which the Plaintiff was in possession, and upon which,
pending such possession, and before the commencement of
this suit, the defendants entered and unlawfully withhold,
together with \$1,000.00 for the detention thereof.

COUNT TWO: The Plaintiff sues to recover the possession
of the following tract of land in Baldwin County,

Alabama:

(The plaintiff incorporates herein as if fully and com-
pletely set out at length herein, by reference and a-
doption, the full legal description of the real estate
set out and described in Count One of the Complaint)

to which said tract of land the Plaintiff has the legal
title, and upon which tract of land, before the commence-
ment of this suit, the defendants entered and unlawfully
withhold, together with \$1,000.00 for the detention thereof.


R. A. Norred, Attorney for Plaintiff
616 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203
Telephone: 323-4076

PLAINTIFF'S ADDRESS:

Mid-State Homes, Inc.
c/o R.A. Norred, Attorney
616 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

DEFENDANT'S ADDRESS:

David McBride
Loxley, Alabama

FILED

AUG 6 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

Received 8 day of Aug 1972
and on 10 day of Aug 1972
I served a copy of the within
on David McBride
By twice on David McBride
Taylor Wilkins
TAYLOR WILKINS, Sheriff
By Donald P. Johnson D. S.
Served in Boxley

Sheriff's Office 40 miles at
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY Johnson
DEPUTY SHERIFF

R. A. Nuss

RECEIVED
AUG 8 1972
TAYLOR WILKINS
SHERIFF

10,539
Mid-State Homes
Inc. a corp.
vs.
David McBride
Boxley, Ala.

R. A. Norred

ATTORNEY

616 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE
323-4076

August 4, 1972

Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama

RE: Mid-State Homes, Inc. vs.
David McBride

#10,539

Dear Sir:

I enclose herein an original and one copy of a Summons and Complaint for service and filing on the above. The defendant's address is Loxley, Alabama.

I would appreciate it if you would acknowledge receipt hereof, confirming the filing date with case number for future correspondence; and if you would also advise when service has been perfected on the defendant.

Thank you for your cooperation.

Yours very truly,

R.A. Norred

RAN/kc

Encl.

MID-STATE HOMES, INC.,
a corporation,

Plaintiff,

VS.

DAVID MCBRIDE,

Defendant.

)

)

IN THE CIRCUIT COURT OF

)

BALDWIN COUNTY, ALABAMA

)

AT LAW

)

CASE NO. 10,539

)

Comes now the Defendant in the above styled cause and makes demand upon the Plaintiff for an abstract of title on which they will depend for proof of their title.

WILTERS & BRANTLEY

BY:

S M Brantley
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 8th day of Sept, 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.

WILTERS & BRANTLEY

By:

S M Brantley

FILED

SEP 8 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

MID-STATE HOMES, INC.,
a corporation,

Plaintiff,

VS.

DAVID McBRIDE,

Defendant.

)
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
) AT LAW
) CASE NO. 10,539
)

ANSWER

Comes now the Defendant in the above styled cause and for
answer to the Plaintiff's Complaint says:

1.

Not guilty.

WILTERS & BRANTLEY

BY: *JMB*
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 22 day of Sept
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.

WILTERS & BRANTLEY

By: *JMB*

FILED

SEP 22 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

MID-STATE HOMES, INC.,
a corporation,

Plaintiff,

VS.

DAVID McBRIDE,

Defendant.

)

)

IN THE CIRCUIT COURT OF

)

BALDWIN COUNTY, ALABAMA

)

AT LAW

)

CASE NO. 10,539

)

DEMURRER

Comes now the Defendant in the above styled cause and files the following demurrer to the Plaintiff's Complaint:

1.

The Plaintiff's Complaint fails to state a cause of action.

WILTERS & BRANTLEY

BY:

S. M. Brantley
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 6 day of Sept
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.

WILTERS & BRANTLEY

By:

S. M. Brantley

FILED

SEP 6 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

MID-STATE HOMES, INC.,
a corporation,

PLAINTIFF,

VS.

DAVID McBRIDE,

DEFENDANT.

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

CASE NO. 10,539

NOTICE OF TAKING DEPOSITION

TO: The Honorable T. M. Brantley
P.O. Box 968
Bay Minette, Alabama 36507

AS ATTORNEY OF RECORD FOR THE DEFENDANT.

You are hereby notified that the Plaintiff will take the testimony by deposition upon oral examination for the purpose of discovery and other purposes in this cause in accordance with the laws of Alabama of the following named person, to-wit:

David McBride, Loxley, Alabama

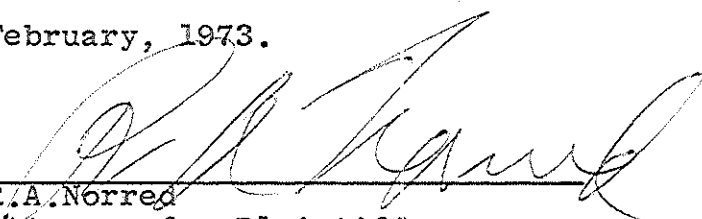
TIME: Said deposition shall be taken on February 26, 1973 commencing at 2:00 P.M., and from time to time thereafter as said deposition may be continued for completion.

PLACE: Said deposition shall be taken in the Law Library of the Baldwin County Courthouse in Bay Minette, Alabama

PERSON BEFORE WHOM TAKEN: Said deposition shall be taken before Charles Reese, or some other person who is authorized to administer oaths by the laws of the State of Alabama.

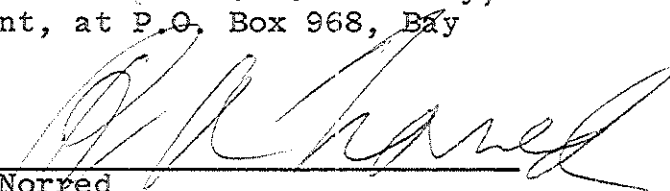
The Clerk will please issue a subpoena to the above designated witness at the address indicated.

This the 19 day of February, 1973.


R.A. Norred
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing notice has been mailed, postage prepaid, to the Honorable T. M. Brantley, as Attorney of Record for the Defendant, at P.O. Box 968, Bay Minette, Alabama 36507.


R.A. Norred

FILED

FEB 19 1973

EUNICE B. BLACKMON CIRCUIT CLERK

R. A. Norred
ATTORNEY

616

~~228~~ 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE
323-4076

February 15, 1973

Clerk of the Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

Re: Mid-State Homes, Inc. vs. David McBride, Case No. 10,539

Dear Sir:

I enclose herein a Notice of Deposition in the above. Please file same and advise of the filing date.

I will also appreciate it if you will issue the subpoena as requested in said Notice.

Thank you for your cooperation.

Yours very truly,

R. A. Norred

RAN/tf

Encl.

/kc