

COMMUNITY GENERAL HOSPITAL OF
SULLIVAN COUNTY d/b/a LIBERTY
MAIMONIDES HOSPITAL,

PLAINTIFF

VS

RANDOLPH HORACE

DEFENDANT

Ø IN THE CIRCUIT COURT OF
Ø BALDWIN COUNTY, ALABAMA

Ø AT LAW

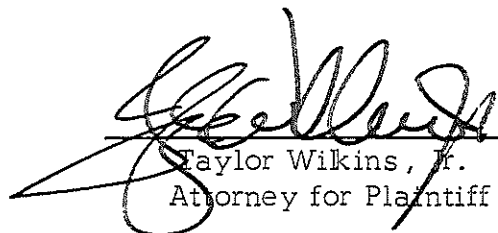
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Ø CASE NO: 10,591

The Plaintiff claims of the Defendant the sum of ONE THOUSAND TWO HUNDRED EIGHTY-FOUR AND 20/100 (\$1,284.20) DOLLARS, due by him on a certain judgment which was recovered by the Plaintiff against the Defendant in the Supreme Court of Sullivan County, New York, on the 17th day of August, 1971, together with the sum of Thirty-Nine and 20/100 (\$39.20) Dollars as costs of court.

Plaintiff avers that the amount of the said judgment has not been paid and that the Defendant is indebted to the Plaintiff in the full amount of said judgment, together with the costs, and interest thereon, as shown on the Certified copy of the judgment attached hereto and made a part of this bill of complaint.


Taylor Wikins, Jr.
Attorney for Plaintiff

FILED

SEP 1 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF EXEMPLIFICATION

State of New York, }
County of Sullivan } ss.:

I, Harold Van Etten Deputy, Clerk of the County Court of said County,
do hereby certify that I have compared the foregoing copy of a Judgment Roll

with the original thereof, now remaining of record in said Court, and that the same is a correct transcript
of the whole and every part of such original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said
Court, at Monticello, N. Y., this Twenty-fourth
day of August in the year of our Lord
one thousand nine hundred and Seventy-two.

Harold Van Etten
Harold Van Etten
Deputy Clerk of the County Court.

State of New York, }
County of Sullivan } ss.;

I, Benjamin Newberg, County Judge of said County,
do hereby certify that Harold Van Etten, whose name is subscribed to the
preceding exemplification, is the ^{Deputy} Clerk of said County Court, duly appointed and sworn; that full faith and
credit are due to his official acts.

I further certify, that the seal affixed to said exemplification is the seal of said County Court, and
that the attestation thereof is in due form of law.

Dated, August 24 19 72

Benjamin Newberg

State of New York, }
County of Sullivan } ss.:

I, Harold Van Etten Deputy, Clerk of the County Court of Sullivan
County, New York, do hereby certify that Benjamin Newberg, whose name
is subscribed to the preceding certificate, is a County Judge of Sullivan County, and as such the presiding
County Judge of the County of Sullivan, State of New York, duly appointed and sworn, and that the signa-
ture of said Judge to said certificate is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of
said Court, this 24 day of August, 19 72

Harold Van Etten
Harold Van Etten
Deputy Clerk of the County Court.

IN THE MATTER OF

Communtiy General Hospital
of Sullivan County d/b/a
LIBERTY MAIMONIDES HOSPITAL

Plaintiff

- against -

RANDOLPH HORACE,

Defendant

Certificate of Exemplification

SUPREME COURT
COUNTY OF SULLIVAN

COMMUNITY GENERAL HOSPITAL OF SULLIVAN COUNTY
d/b/a LIBERTY MAIMONIDES HOSPITAL,

Plaintiff

against

RANDOLPH HORACE,

Defendant

Index No.

STATEMENT
FOR
JUDGMENT

Amount claimed in Complaint (notice)
Interest

\$ 1,037 50
207 50

Costs by Statute
Service of Summons and notice
Affidavits
Transcripts and Docketing
Clerk's Fees entering Judgment
Postage
Sheriff's Fees on Execution
Satisfaction Piece
Taxing Costs
Fee for Index Number

\$ 25 00
3 70
7 50
3 00

\$ 1,245 00

Costs taxed at \$ 39.20

39 20

Clerk

Total.....\$ 1,284.20

STATE OF NEW YORK, COUNTY OF SULLIVAN

ATTORNEY'S AFFIRMATION

The undersigned, attorney at law of the State of New York

attorney(s) of record for the plaintiff

herein, states that the disbursements above specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount: that the time of the defendant to appear or answer herein has expired and that the said defendant has not appeared or answered herein

The undersigned affirms this statement to be true under the penalties of perjury.

Dated: August 17, 1971.

The name signed must be printed beneath

CARL J. SILVERSTEIN

JUDGMENT entered the day of August, 19 71

The summons and notice in this action having been personally served on
RANDOLPH HORACE

the defendant herein and the time of said defendant to appear or answer having expired, and the said defendant not having appeared or answered herein

NOW, ON MOTION OF CARL J. SILVERSTEIN
attorney(s) for the plaintiff it is,

ADJUDGED that COMMUNITY GENERAL HOSPITAL OF SULLIVAN COUNTY d/b/a
LIBERTY MAIMONIDES HOSPITAL, the plaintiff ,

residing at Liberty, New York

do recover of RANDOLPH HORACE

residing at Stockton, Alabama the defendant ,

the sum of \$ 1,245.00 the amount claimed with interest with \$39.20 costs and
disbursements, amounting in all to the sum of \$ 1,284.20 and that the plaintiff have execution
therefor.

Millicent C. Flynn
By Millicent C. Flynn Clerk
Sullivan County Clerk

COMMUNITY GENERAL HOSPITAL OF SULLIVAN COUNTY
d/b/a LIBERTY MAIMONIDES HOSPITAL,
against
RANDOLPH HORACE,
Plaintiff
Defendant

AFFIDAVIT OF FACTS
CONSTITUTING THE CLAIM
THE DEFAULT AND THE
AMOUNT DUE

STATE OF NEW YORK, COUNTY OF SULLIVAN ss.: administrator of
ANTHONY CACCHILLO being duly sworn, deposes and says: that the deponent is/
plaintiff in the within action; this action was commenced by personal service
of the summons and notice upon defendant and is an action for
hospital services rendered as set forth on copy of bill attached hereto
and made a part of, payment of which has not been made although duly
demanded.
*

Wherefore your deponent demands judgment against the defendant in the sum of \$1,037.50
with interest from the 30th day of June, 19 68 together with the costs and disbursements
of this action.
Sworn to before me
this day of August, 19 71. By: S
COMMUNITY GENERAL HOSPITAL OF SULLIVAN
COUNTY d/b/a LIBERTY MAIMONIDES HOSPITAL
The name signed must be printed beneath
ANTHONY CACCHILLO, Administrator

* Show basis of venue

Information pursuant to Section 5018(c) of the Civil Practice Law and Rules

Residence and trade or profession of Defendant

Stockton, Alabama

Residence address of Plaintiff

Liberty, New York

Index No. 1066/71	SUPREME COURT COUNTY OF SULLIVAN	COMMUNITY GENERAL HOSPITAL OF SULLIVAN COUNTY d/b/a LIBERTY MAIMONIDES HOSPITAL,	Plaintiff	against	RANDOLPH HORACE,	Defendant
Judgment Roll						
CARL J. SILVERSTEIN Attorney(s) for Plaintiff Office and Post Office Address 250 Broadway; Box 552 Monticello, New York						
Amount and interest,		\$ 245.00				
Costs and disbursements,		39.20				
		\$ 284.20				

Filed 19
at o'clock M.

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 RALDOLPH HORACE

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.....

Randolph Horace

..... Defendant.....

by Community General Hospital of Sullivan County, d/b/a Liberty Maimonides

Hospital

..... Plaintiff.....

witness my hand this 1st day of September 1972

Erinice B. Blackman Clerk

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Community General Hospital

of Sullivan County, etc.

Plaintiffs

VS.

Randolph Horace

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

SEP 1 1972

Clerk

EUNICE B. BLACKMON CIRCUIT CLERK

RECEIVED

SEP 5 1972

TAYLOR WILKINS

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Stockton, Alabama

RECEIVED
Received in Office

SEP 1 1972

19.....

TAYLOR WILKINS

Sheriff

I have executed this summons

this Sept 12 1972

by leaving a copy with

Randolph Horace

RECEIVED
22
Ten Cents per mile Tol. \$2.20
Robert
DEPUTY SHERIFF

Taylor Wilkins Sheriff
W A Zeller Deputy Sheriff
Stockton

COMMUNITY GENERAL HOSPITAL OF
SULLIVAN COUNTY d/b/a
LIBERTY MAIMONIDES HOSPITAL,

Plaintiff

-vs-

RANDOLPH HORACE,

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,591

DEMURRER

Comes now the defendant in above-styled cause and demurs to the complaint heretofore filed in this cause and as grounds therefor assigns the following, separately and severally, to each and every count thereof, to-wit:

1. The complaint does not state a legal cause of action.
2. For aught that appears, the judgment referred to was not legally obtained.
3. The complaint does not show a legally obtained judgment.
4. The complaint is vague.
5. The complaint is uncertain.


ATTORNEY FOR DEFENDANT

CERTIFICATE OF MAILING

I certify that I have mailed a copy of the foregoing demurrer to Honorable Taylor Wilkins, Jr., Courthouse Square, Bay Minette, Alabama 36507, by depositing the same in the United States Mail, postage prepaid, at Bay Minette, Alabama, on this the fifth day of October, 1972.


ATTORNEY FOR DEFENDANT

COUNSEL FOR DEFENDANT:
Kenneth Cooper
109 East First Street
Post Office Box 1000
Bay Minette, Alabama 36507
Phone: (205) 937-7412

FILED

OCT 6 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

COMMUNITY GENERAL HOSPITAL OF
SULLIVAN COUNTY d/b/a
LIBERTY MAIMONIDES HOSPITAL,

Plaintiff

-VS-

RANDOLPH HORACE,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,591

ANSWER

Comes now the defendant in the above-styled cause, by his
attorney of record, and for answer to the complaint saith:

Not guilty


ATTORNEY FOR DEFENDANT

CERTIFICATE OF MAILING

I certify that I have mailed a copy of the foregoing Answer
to Honorable Taylor Wilkins, Jr., Courthouse Square, Bay Minette,
Alabama 36507, by depositing the same in the United States Mail,
postage prepaid, at Bay Minette, Alabama, on this the third day of
November, 1972.


ATTORNEY FOR DEFENDANT

COUNSEL FOR DEFENDANT:

Kenneth Cooper
109 East First Street
Post Office Box 1000
Bay Minette, Alabama 36507
Phone: (205) 937-7412

FILED

NOV 3 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

FILED

NOV 3 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

COMMUNITY GENERAL HOSPITAL OF
SULLIVAN COUNTY d/b/a LIBERTY
MAIMONÉDES HOSPITAL,

Plaintiff

VS:

RANDOLPH HORACE,

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW,

CASE NO: 10,591

ANSWER

Comes now the defendant and enters a denial to each and every count of the
above suit.

Randolph Horace
Randolph Horace

Eudora Horace
By: Eudora Horace

FILED

SEP 13 1972

EUNICE B. BLACKMON CIRCUIT
CLERK