

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,

Plaintiff

-VS-

ERNEST WALDO and ERMA L. WALDO,
individually and jointly,

Defendants

§

§

§

§

§

§

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,661

COUNT ONE

The plaintiff claims of the defendants Seven Hundred Fifty-one and 87/100 (\$751.87) Dollars, including a reasonable attorney's fee, due from them by account on the last day of May, 1972, which sum of money, with interest thereon, is still unpaid.

COUNT TWO

The plaintiff claims of the defendants Seven Hundred Fifty-one and 87/100 (\$751.87) Dollars, including a reasonable attorney's fee, on account stated between plaintiff and defendants on the last day of May, 1972, which sum of money, with interest thereon, is still unpaid.

COUNT THREE

The plaintiff claims of the defendants Seven Hundred Fifty-one and 87/100 (\$751.87) Dollars for money paid by plaintiff for the defendants on the last day of May, 1972, which sum of money, with interest thereon, is still unpaid.


ATTORNEY FOR PLAINTIFF

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

FILED

OCT 17 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.

October TERM, 1972

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Ernest Waldo and Erma L. Waldo

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.....

Ernest Waldo and Erma L. Waldo Defendant.S.....

by The First National Bank of Mobile, a corporation, Plaintiff.....

witness my hand this 17 day of October 1972

Ernie B. Blackman Clerk

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

The First National Bank of

Mobile, a corporation,
Plaintiffs

VS.

ERNEST WALDO and ERMA L. WALDO,
Defendants

SUMMONS AND COMPLAINT
FILED

Filed OCT 17 1972 19.....

EUNICE B. BLACKMON CIRCUIT
CLERK

RECEIVED

OCT 1 1972

TAYLOR WILKINS
SHERIFF

Kenneth Cooper
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Ernest Waldo and Erma L. Waldo
Route 3
Foley, Alabama

RECEIVED

Received In Office

OCT 17 1972

TAYLOR WILKINS

SHERIFF

19.....

Sheriff

I have executed this summons

this 21-Oct 1972

by leaving a copy with

Ernest Waldo
Erma L. Waldo

Sheriff claims 14 miles @

Ten Cents per mile Total \$ 1.40

TAYLOR WILKINS, Sheriff

BY [Signature]
DEPUTY SHERIFF

[Signature] Sheriff

[Signature] Deputy Sheriff

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,

Plaintiff,

vs.

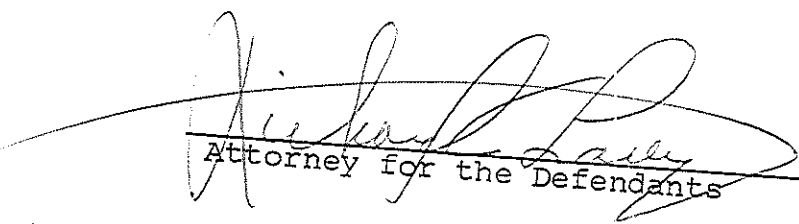
ERNEST WALDO and ERMA L. WALDO,
individually and jointly,

Defendants.

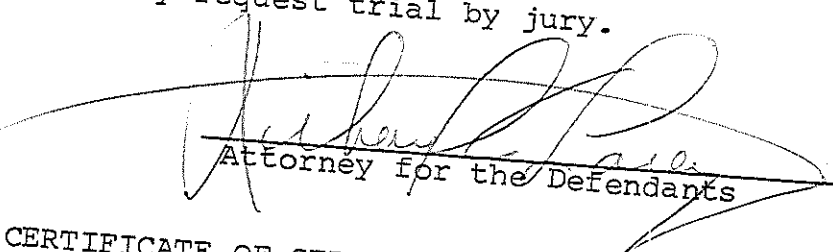
) IN THE CIRCUIT COURT OF
)
)
) BALDWIN COUNTY, ALABAMA
)
)
) AT LAW
)
)
) CASE NO. 10,661
)
)
)

Comes now the Defendants individually and jointly in the
above-styled cause and files this their answer individually and
jointly as follows:

1. Not guilty
2. The general issue.
3. Defendants aver that they are not guilty of the matters
alleged in said Bill of Complaint.


Attorney for the Defendants

The Defendants respectfully request trial by jury.


Attorney for the Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 13th day of November,
1972 served a copy of the foregoing pleading on Kenneth Cooper,
attorney at law, Counsel for the Plaintiff, by mailing the same by
United States mail, properly addressed, and first class postage prepaid.


RICHARD C. LACEY

FILED

NOV 15 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,
Plaintiff,

vs.

ERNEST WALDO and ERMA L. WALDO,
individually and jointly,
Defendants.

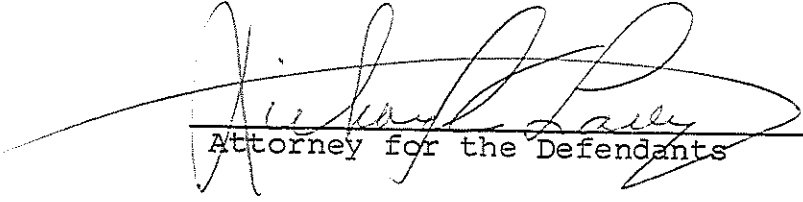
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA

) AT LAW

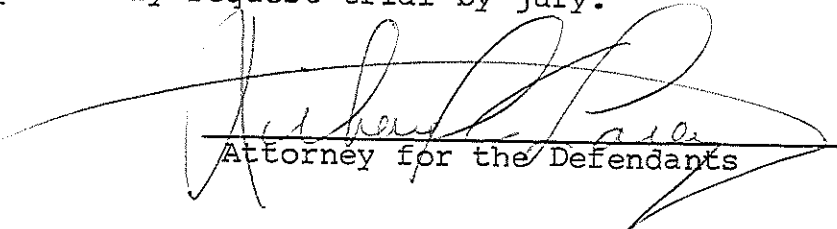
) CASE NO. 10,661
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RICHARD C. LACEY

FILED

NOV 15 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,

Plaintiff,

vs.

ERNEST WALDO and ERMA L. WALDO,
individually and jointly,

Defendants.

)
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW
)
) CASE NO. 10,661
)
)
)

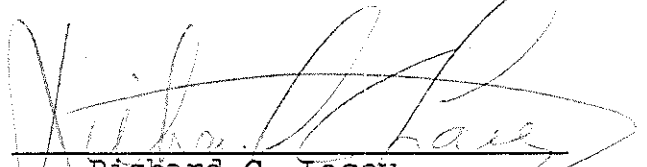
Comes now RICHARD C. LACEY as attorney of record for
Defendants in above styled cause and shows unto Your Honor
as follows:

1. Your Petitioner, Richard C. Lacey, was contacted by
Defendants in above styled cause in October of 1972 and asked that
he represent the Defendants in the subject cause.

2. Your Petitioner filed an Answer in subject cause on
the 13th day of November, 1972 and requested a trial by jury.

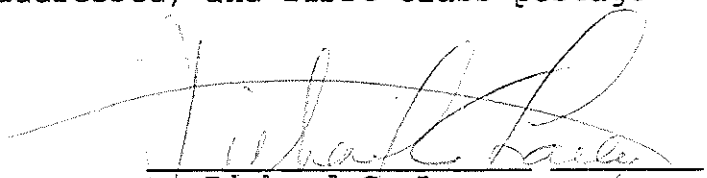
3. Your Petitioner has on several occasions attempted to
contact the Defendants and has had no answer to his correspondence.

WHEREFORE, the premises considered, your Petitioner moves
that he be removed as Attorney of Record and that his demand for
trial by jury be withdrawn.


Richard C. Lacey
Attorney for the Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 10th day of
May, 1973, served a copy of the foregoing petition on Kenneth Cooper,
attorney at law, Counsel for the Plaintiff, by mailing the same by
United States mail, properly addressed, and first class postage
prepaid.


Richard C. Lacey

FILED

MAY 11 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

June 22, 1973

Honorable Telfair J. Mashburn
Judge, Circuit Court
Baldwin County Court House
Bay Minette, Alabama 36507

Re: First National Bank of Mobile vs. Ernest Waldo
Case No. 10,661

Dear Judge Mashburn:

Enclosed is a copy of a motion I filed during the last term of court. Consequently, I do not plan to participate in the defense of this case which is set for Tuesday, July 10.

Respectfully submitted,

ROLacey

mr

Enclosure

cc: Mr. Kenneth Cooper

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,

Plaintiff,

vs.

ERNEST WALDO and ERNEST L. WALDO,
individually and jointly,

Defendants.

IN THE CIRCUIT COURT OF
BLOOMING COUNTY, ALABAMA

AT LAW

CASE NO. 10,661

Comes now RICHARD C. LACEY as attorney of record for
Defendants in above styled cause and shows unto Your Honor
as follows:

1. Your Petitioner, Richard C. Lacey, was contacted by
Defendants in above styled cause in October of 1972 and asked that
he represent the Defendants in the subject cause.

2. Your Petitioner filed an Answer in subject cause on
the 13th day of November, 1972 and requested a trial by jury.

3. Your Petitioner has on several occasions attempted to
contact the Defendants and has had no answer to his correspondence.

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that he be removed as Attorney of Record and that his demand for
trial by jury be withdrawn.

Richard C. Lacey
Attorney for the Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 10th day of
May, 1973, served a copy of the foregoing petition on Kenneth Cooper,
attorney at law, Counsel for the Plaintiff, by mailing the same by
United States mail, properly addressed, and first class postage
prepaid.

Richard C. Lacey

The First National Bank of Mobile, A Corporation
Plaintiffs

VS:

CASE NO. 10,661

Ernest Waldo & Erma L. Waldo, Individually & Jointly
Defendants

WRIT OF DISCOVERY

TO Ernest Waldo & Erma L. Waldo

TAKE NOTICE, THAT, WHEREAS THE PLAINTIF IN THE ABOVE ENTITLED CAUSE HAS REQUESTED IN WRITING, THE UNDERSIGNED, AS CLERK OF SAID COURT TO ISSUE NOTICE TO YOU AS DEFENDANT IN THE ABOVE ENTITLED CAUSE AND IN THE JUDGEMENT THEREIN, REQUIRING YOU TO FILE THE STATEMENT IN WRITING UNDER OATH OF ALL YOUR ASSETS, AS PROVIDED IN THE ACT OF THE LEGISLATURE OF ALABAMA, APPROVED SEPTEMBER 28, 1915, "TO PROVIDE FOR THE DISCOVERY OF ASSETS OF JUDGEMENT DEBTORS, AND TO FACILITATE THE ENFORCEMENT OR COLLECTION OF JUDGEMENTS IN COURTS OF LAW AND EQUITY IN THIS STATE," AND HAS FILED SAID REQUEST, IN WRITING, IN THIS CAUSE ENDORSED "NO PROPERTY FOUND" BY THE SHERIFF OF BALDWIN COUNTY, AND THAT YOU RESIDE IN THE STATE OF ALABAMA.

NOW THEREFORE, YOU, THE SAID Ernest Waldo & Erma L. Waldo ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH, OF ALL YOUR ASSETS, INCLUDING MONEY, CHOSSES IN ACTION, NOTES, BONDS AND ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL OR MIXED, OR ANY INTERESTS THEREIN, WITH A DETAILED DESCRIPTION OF THE SAME, THE LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH A DETAILED LIST OR STATEMENT, OF ANY AND ALL LENDS, MORTGAGES OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS 9th DAY OF August,

19 74.

Ernie B. Blackman
CLERK

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS.

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING NOTICE UPON THE ABOVE NAMED Ernest Waldo & Erma L. Waldo AND MAKE DUE RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

Ernie B. Blackman
CLERK

The First National Bank of Mobile, A Corporation
Plaintiffs

VS:

CASE NO. 10,661

Ernest Waldo & Erma L. Waldo, Individually & Jointly
Defendants

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NOW THEREFORE, YOU, THE SAID Ernest Waldo & Erma L. Waldo, ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH, OF ALL YOUR ASSETS, INCLUDING MONEY, CHOSSES IN ACTION, NOTES, BONDS AND ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL OR MIXED, OR ANY INTERESTS THEREIN, WITH A DETAILED DESCRIPTION OF THE SAME, THE LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH A DETAILED LIST OR STATEMENT, OF ANY AND ALL LENDS, MORTGAGES OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS 9th DAY OF August,

19 74.

Erma L. Blackman
CLERK

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS.

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING NOTICE UPON THE ABODE NAMED Ernest Waldo & Erma L. Waldo AND MAKE DUE RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

Erma L. Blackman
CLERK

J.G. #10661

Baldwin Co. Writ of
Discovery

For:

Erma Waldo

2620 Howell Ave.

Moved
N8

G.G. #10661
Baldwin Co. Unit
of Disc.

For:

Ernest Waldo
2620 Howell Ave.

Moved
N/S

The First National Bank of Mobile, A Corporation
Plaintiffs

VS:

CASE NO. 10,661

Ernest Waldo & Erma L. Waldo, Individually & Jointly
Defendants

WRIT OF DISCOVERY

TO Ernest Waldo & Erma L. Waldo

TAKE NOTICE, THAT, WHEREAS THE PLAINTIF IN THE ABOVE ENTITLED CAUSE HAS REQUESTED IN WRITING, THE UNDERSIGNED, AS CLERK OF SAID COURT TO ISSUE NOTICE TO YOU AS DEFENDANT IN THE ABOVE ENTITLED CAUSE AND IN THE JUDGEMENT THEREIN, REQUIRING YOU TO FILE THE STATEMENT IN WRITING UNDER OATH OF ALL YOUR ASSETS, AS PROVIDED IN THE ACT OF THE LEGISLATURE OF ALABAMA, APPROVED SEPTEMBER 28, 1915, "TO PROVIDE FOR THE DISCOVERY OF ASSETS OF JUDGEMENT DEBTORS, AND TO FACILITATE THE ENFORCEMENT OR COLLECTION OF JUDGEMENTS IN COURTS OF LAW AND EQUITY IN THIS STATE," AND HAS FILED SAID REQUEST, IN WRITING, IN THIS CAUSE ENDORSED "NO PROPERTY FOUND" BY THE SHERIFF OF BALDWIN COUNTY, AND THAT YOU RESIDE IN THE STATE OF ALABAMA.

NOW THEREFORE, YOU, THE SAID Ernest Waldo & Erma L. Waldo ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH, OF ALL YOUR ASSETS, INCLUDING MONEY, CHOSES IN ACTION, NOTES, BONDS AND ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL OR MIXED, OR ANY INTERESTS THEREIN, WITH A DETAILED DESCRIPTION OF THE SAME, THE LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH A DETAILED LIST OR STATEMENT, OF ANY AND ALL LENDS, MORTGAGES OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS 9th DAY OF August,

19 74.

Sumner B. Blackburn
CLERK

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS.

YOU ARE HEREBY COMMANDED TO SERVE THE FOREGOING NOTICE UPON THE ABOVE NAMED Ernest Waldo & Erma L. Waldo AND MAKE DUE RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

Sumner B. Blackburn
CLERK

RECEIVED

AUG 09 1974

TAYLOR WILKINS
SHERIFF

RETURNED

8-16-74

Not found in my County after diligent search and inquiry.

RAY D. BRIDGES, Sheriff

By

J. Jackson D.S.

RETURNED

8-16-74

Not found in my County after diligent search and inquiry.

RAY D. BRIDGES, Sheriff

By

J. Jackson D.S.

#10,661

The First National Bank of Mobile,
A Corporation

vs:

Ernest Waldo & Erma L. Waldo, Individually
& Jointly

Serve: Ernest Waldo &
Erma Waldo
2620 Howell Avenue
Mobile, Ala. 36606

Writ of Discovery

FILED

AUG 9 1974

EUNICE B. BLACKMON CIRCUIT
CLERK

Kenneth Cooper,
Attorneys for Plaintiff

THE FIRST NATIONAL BANK OF
MOBILE, a corporation,

Plaintiff

-VS-

ERNEST WALDO and ERMA L. WALDO,
individually and jointly,

Defendants

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Ø

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CIVIL ACTION

NO. 10661

REQUEST FOR DISCOVERY OF ASSETS

TO EUNICE B. BLACKMON, CLERK OF SAID COURT:

The Plaintiff herein having recovered on the tenth day of July, 1973, a judgment against the defendant in the above-styled cause for the sum of Seven Hundred Three and 45/100 (\$703.45) Dollars and costs and such execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "no property found", the plaintiff now requests in writing that the Clerk of the Court will issue a notice to the said Ernest Waldo and Erma L. Waldo, requiring them to file in this Honorable Court within thirty days from the service of such notice a statement in writing under oath of all the assets of the said Ernest Waldo and Erma L. Waldo, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed, or any interest therein, with a detailed description of the same, the location and a reasonable value of each item thereof, together with a detailed statement of any and all liens, mortgages, or encumbrances thereon, showing the amounts due upon each, and the owner or holder of such liens, encumbrances or mortgages.

The said Ernest Waldo and Erma L. Waldo resides at 2620 Howell Avenue, Mobile, Alabama 36606.

Dated this 9th day of August, 1974.

FILED

AUG 9 1974

EUNICE B. BLACKMON, CLERK

Kenneth Cooper
ATTORNEY FOR PLAINTIFF

Post Office Box 1000
Bay Minette, Alabama 36507

KENNETH COOPER
ATTORNEY AT LAW
109 EAST 1ST STREET
P. O. BOX 1000
BAY MINETTE, ALABAMA 36507
TELEPHONE (205) 937-7412

January 9, 1979

Mrs. Eunice Blackmon
Clerk of Circuit Court
Bay Minette, Alabama 36507

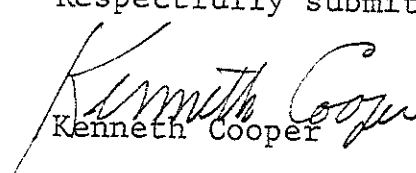
RE: Waldo, Ernest E.
Circuit Court Case No. 10,661

Dear Mrs. Blackmon:

On July 10, 1973, undersigned took a judgment against above individual for \$703.45. At that time the Sheriff of Baldwin County made a return "no property found." I now have information to levy execution to collect this judgment.

Name: Ernest E. Waldo
Address: Star Route A, Box 494
Orange Beach, Alabama 36561
Occupation: Retired, U.S. Navy
Property to levy upon: 1971 Chevrolet, Impala
Vehicle No. 164691C144808
Current tag no. BKP 630 decal -
0544881
Address where registered: Route 3, Foley
Vehicle registered in Ernest E. Waldo's name.
Holder of Judgment: The First National Bank of Mobile

Respectfully submitted,


Kenneth Cooper

KC/jlr
cc: First Nat'l Bank

ERNEST E. WALDO Ag. 47 Retired ERMA L
 Route 3 Foley, ALA How Long 2 Yrs. Social Security Number 496-14-1861
 FOLEY State ALABAMA Zip 36535 Home Phone NL
 3808 WASCANNA City ALBANTA How Long 2 Yrs.
 WALLER BROS. 479-8621 Monthly Income 600.
 PRINTER How Long 1 Yrs.
 Southern Motor Carrier Rate Conf. How Long 2 Yrs.
 By NONE 943-6891 How Long Yrs.
 Ed C. GATES Address RT 3 City FOLEY
 First National Fairhope Branch Robertsdale ☒ Checking ☐ Savings ☐ Loan
 I Have (or have had) Accounts at
 INTER STATE, Robertsdale, Phillips 66 FOLEY
 WACCEP Atlanta ACE HARDWARE FOLEY
 JENNIFER SUPERETTE FOLEY FAIR FAX, KENTUCKY
 ERMA L. WALDO NAMES RELATIONSHIPS
 Ernest E. Waldo Signature Emma L. Waldo
 ENT No. of BANKAMERICARD From ATLANTA (327 090 057 800) EXPIRES 11-69

(12) Type 557 2465 (18) No. 1034
 Date 7/19/74 Approved by RPH
 1 2 3 4 5 6 7 8 9 0
CUSTOMER AGREEMENT
 Use of the BankAmericard by cardholder with the consent of the holder constitutes agreement as follows: (1) to assume responsibility to First National Bank of Mobile for the full amount of the bill rendered on the basis of the BankAmericard; (2) to pay, at such place as Bank designates, obligations evidencing such charges, in accordance with the terms of the applicable Schedule, including a reasonable attorney's fee in the event of suit or action; (3) to notify Bank promptly in writing of loss of the BankAmericard; (4) that the BankAmericard may be cancelled by Bank at any time; (5) to surrender the BankAmericard upon demand; (6) to waive and release Bank from all defense, rights and claims holder may have against any merchant or company honoring the BankAmericard; (7) any claim of Bank against holder shall at Bank's option be paid immediately due and payable if holder fails to perform any terms of or to pay payments as otherwise provided herein; (8) within the judgment of Bank the credit standing of holder shall be subject to review by Bank.
BANKAMERICARD
 I understand there will be no service charge on any portion of my account paid within 25 days after date of my monthly statement, except for minimum fee on each cash advance.
 I agree that whenever I wish to extend payment, I will pay a service charge of 1 1/2% on the previous month's balance (less all appropriate credits) and make monthly payments in accordance with the following minimum payment chart:
 If new balance over \$200 Minimum payment \$10 or 5% of New Balance
 JUL 8 1969
 FORM 1079

Bay Minette, Ala., August 12 1974
 To the Sheriff of Mobile County, Alabama
 I enclose herewith Unit of dis. to be served on Ernest
 + Emma Waldo 2620 Howell Avenue
 Mobile, Ala.
 Please serve and return as early as possible.
 J. J. Wilkins
 Sheriff, Baldwin County, Alabama
 (If not found in your county, please advise promptly giving information as to present location if possible)