

204
IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOEL RICE,

Plaintiff,

V.

J. D. "JOE" VIZZINA d/b/a
ASSOCIATED WHOLESALERS OF
ALABAMA, INC.,

Defendant.

CIVIL ACTION NO.

CV 83-3091-S

MOTION TO DISMISS THE DECLARATION
AND CLAIM OF EXEMPTIONS FILED
BY J. D. "JOE" VIZZINA

022 PAGE 871
Comes the plaintiff in the above-styled cause and requests
this Court to dismiss the above described Declaration based
upon the following:

(1) The Declaration filed by Joe Vizzina attempts to
exempt more than \$3,000.00 worth of personal property.

(2) Under Section 6-10-6 Code of Alabama, \$3,000.00
is the maximum amount of personal property that a debtor
may declare as exempt.


S. Greg Burge
Attorney for Plaintiff

OF COUNSEL:

✓ HARE, WYNN, NEWELL & NEWTON
700 City Federal Building
Birmingham, Alabama 35203
(205) 328-5330

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on all counsel of record by depositing same in the U. S. Mail, postage prepaid properly addressed this the 26th day of March, 1985.

S. Greg Burge
S. Greg Burge

BOOK 022 PAGE 872

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOEL RICE,

Plaintiff,

VS.

J.D. "JOE" VIZZINA d/b/a
ASSOCIATED WHOLESALERS OF
ALABAMA, INC.,

Defendant.

CIVIL ACTION NO.

CV-83-3091-S

NOTICE OF DECLARATION OF EXEMPTIONS

TO: The Sheriff of Shelby County, Alabama:

PLEASE TAKE NOTICE, that the Defendant, J.D. "Joe" Vizzina, has filed a declaration of exemptions, in writing and verified by oath, in the office of the Judge of Probate of Shelby County, Alabama, pursuant to 6-10-26 Alabama Code (1975), a true copy of which is attached hereto.



FRED PICKARD
ATTORNEY FOR DEFENDANT
2107 5th Avenue, North
Suite 300
Birmingham, Alabama 35203
Phone: 328-4150

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOEL RICE,

Plaintiff,

CIVIL ACTION NO.

CV-83-C-3091-S

J.D. "JOE" VIZZINA d/b/a

ASSOCIATED WHOLESALERS OF

ALABAMA, INC.

Defendant.

DECLARATION AND CLAIM OF EXEMPTIONS

I, J.D. "Joe" Vizzina, a bona fide resident of Shelby County, Alabama, do hereby claim as exempt property from levy, seizure, execution, sale and all other process for the collection of debts, all of my wearing apparel, portraits, pictures, books, cooking utensils, cooking stoves, table, tableware, chairs, bed and bed clothing of my family and the following:

Tools used by me and essential to my business which include: one desk and chair, briefcase, mechanic's tools, car buffer and waxer.

I, J.D. "Joe" Vizzina, do further hereby declare the following is a full and complete inventory of my personal property, except wearing apparel, portraits, pictures, books, table, tableware, chairs, bed and bed clothing in actual use by my family which is specifically exempted from levy and

sale. Each item is located at my residence of 4510 Miller
Circle, Helena, Alabama 35080:

One bedroom suite (3 pieces)	\$475.00
One bedroom suite (4 pieces)	\$450.00
One diningroom suite (6 pieces)	\$500.00
Kitchen dinette set (6 pieces)	\$200.00
Den furniture (5 pieces)	\$675.00
Livingroom suite (4 pieces)	\$550.00
Zenith console television	\$250.00
Refrigerator, G.E.	\$250.00
Washer and dryer, Maytag	\$350.00
Microwave oven	\$150.00
Portable television	\$150.00
Antique clock	\$150.00
Exercise equipment	\$150.00
Miscellaneous household items	\$500.00

J.D. "JOE" VIZZINA

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned Notary Public in and for said
County in said State, personally appeared J.D. "Joe" Vizzina,
who after being first duly sworn by me avers as follows: My
name is J.D. "Joe" Vizzina and I have read the above and
foregoing and the information and facts stated therein are
true and correct.

J.D. "JOE" VIZZINA

Sworn to and subscribed before me this the 20 day of

March, 1985.

NOTARY PUBLIC

STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT FILED

1985 APR -3 AM 10:55

JUDGE OF THE COURT

RECORDING FEES

Recording Fee	\$ 12.50
Index Fee	1.00
TOTAL	\$ 13.50