

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

SUNTRUST BANK NATURE COAST )

PLAINTIFF, )

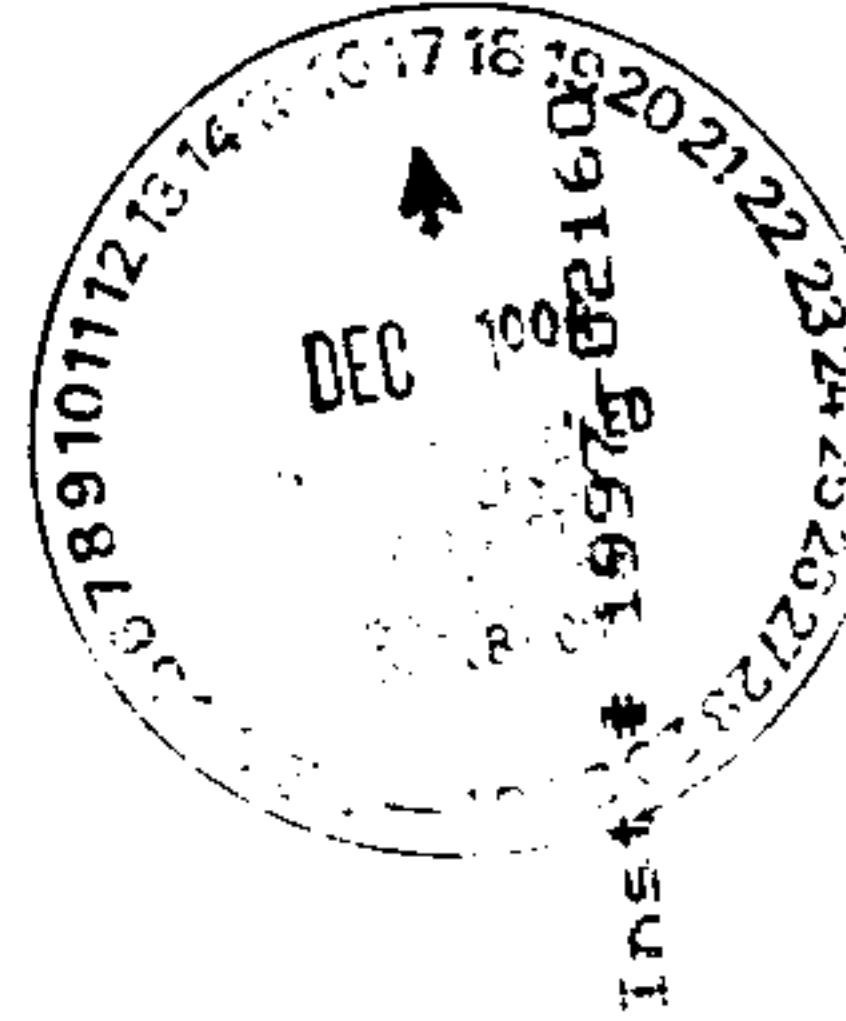
vs. )

JAMES PALMER and  
LOIS PALMER, )

DEFENDANTS. )

CIVIL ACTION NUMBER

CV 95-351



**ORDER**

This cause came to be heard on December 4, 1996 on plaintiff's motion for summary judgment on the amount of mesne profits, on defendant's motion to compel, and on defendant's motion to continue. James and Lois Palmer failing to appear for the docket call at 9:00, this court held the said motions until all other matters on the civil docket were called and heard. James and Lois Palmer failed to appear at the hearing, and the Court heard the said motions. The Court ORDERS, ADJUDGES and DECREES as follows:

1. This court finds that SunTrust Bank, Nature Coast's Motion for Summary Judgment on the issue of mesne profits is due to be granted. This court finds that the fair rental value of the property located at 3040 Brookhill Drive for the period September 1, 1993 to September 1, 1996 is Seventy-Eight Thousand Three Hundred Dollars (\$78,300.00), and that SunTrust Bank, Nature Coast is due this amount and that judgment in the amount of \$78,300 is hereby entered.

2. The Motion for Order Compelling Production filed by James and Lois Palmer is hereby denied.

3. The Motion for Continuance filed by James and Lois Palmer, which acknowledged the scheduling of this hearing for December 4, 1996 at 9:00 A.M., is hereby denied.

01/22/1997-02160  
09:50 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 SNA 11.00

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4. This court finds that the defendants have had prior opportunities to remove their possessions from the involved house, and the Court hereby notifies James and Lois Palmer that it will consider a motion to permit the Palmers to remove their personal possessions from the property located at 3040 Brookhill Drive, under controlled circumstances and under the supervision and control of the Shelby County Sheriff's Department.

DONE AND ORDERED this 16<sup>th</sup> day of December, 1996.

  
Circuit Judge

Inst # 1997-02160

01/22/1997-02160  
09:50 AM CERTIFIED  
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