

# APPENDIX A



## IN THE SUPREME COURT OF ALABAMA

November 20, 2019

1190130

William N. Lucy v. Estate of Annie D. Fox (Appeal from Mobile Probate Court: 2018-1703).

### ORDER

The Motion to Proceed In Forma Pauperis filed by William N. Lucy on October 31, 2019, having been fully considered,

IT IS ORDERED that the Motion to Proceed In Forma Pauperis in this matter is hereby GRANTED.

Witness my hand this 20th day of November, 2019.

A handwritten signature in cursive ink that reads "Julia Jordan Weller".

Clerk, Supreme Court of Alabama

FILED November 20, 2019 1:51 pm
Clerk Supreme Court of Alabama

cc: Don Davis  
Mobile County Probate Court  
William N. Lucy  
Jimmy H. Fernandez  
Frank Kruse

# APPENDIX B



## IN THE SUPREME COURT OF ALABAMA

November 25, 2019

1190130

William N. Lucy v. Estate of Annie D. Fox (Appeal from Mobile Probate Court: 2018-1703).

### ORDER

IT IS ORDERED that this cause is DEFLECTED to the Court of Civil Appeals pursuant to § 12-2-7(6), Code of Alabama, 1975.

IT IS FURTHER ORDERED that further proceedings in this cause shall be filed with the Court of Civil Appeals pursuant to the rules of procedure applicable to that court.

Witness my hand this 25th day of November, 2019.

A handwritten signature in cursive script that appears to read "Julia Jordan Weller".

Clerk, Supreme Court of Alabama

FILED  
November 25, 2019  
10:01 am

Clerk  
Supreme Court of Alabama

cc: Don Davis  
Rebecca Oates  
Mobile County Probate Court  
William N. Lucy  
Jimmy H. Fernandez  
Frank Kruse

# APPENDIX C

## The Court of Civil Appeals



REBECCA C. OATES  
CLERK

300 DEXTER AVENUE  
MONTGOMERY, ALABAMA 36104-3741  
TELEPHONE 334-229-0733

MEG WILLIAMS FIEDLER  
ASSISTANT CLERK

November 25, 2019

**2190176**

William N. Lucy v. Estate of Annie D. Fox (Appeal from Mobile Probate Court:  
2018-1703)

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### **INFORMATIONAL FILING NOTICE**

This appeal, having been deflected, has been docketed. Future communication should refer to the appellate case number above. **YOUR APPEAL HAS NOT BEEN SELECTED FOR MEDIATION.**

If you are an attorney, you may register to e-file with this court at: [www.judicial.alabama.gov](http://www.judicial.alabama.gov) (select appellate E-Filing). The clerk's office phone number is (334) 229-0733, and the address is: 300 Dexter Avenue, Montgomery, Alabama 36104-3741.

Your attention is directed to several provisions of the appellate rules which will help in processing your case. Failure to strictly comply with the Ala.R.App.P. may result in the dismissal of your case. Some of these rules are summarized below.

There have been some rule changes. The e-appellate rules may be accessed at the following website: [www.judicial.alabama.gov](http://www.judicial.alabama.gov).

An original and 5 copies of all motions are required. Although, if you are electronically filing, please send transaction receipt and 5 copies. Except for routine motions, the Court will rule on the next motion docket after the other side has had a 7-day opportunity to respond. Ala.R.App.P., Rule 27(a).

A 7-day extension of time may be granted per brief. A request for extension will be granted over the telephone; however, any extension must be confirmed in writing to this office, stating the exact date your brief is due, with service of the confirmation letter to opposing counsel and trial court clerk's office. **NO FURTHER EXTENSIONS WILL BE GRANTED UNLESS EXTRAORDINARY GOOD CAUSE IS SHOWN.** (A heavy workload will not be considered as good cause.)

Appellant's brief is due 28 days from the date of certificate of completion of the record on appeal. Appellee's brief is due 21 days from the date of the filing of the

## APPENDIX C

appellant's brief. Appellant's reply brief is optional and, if filed, is due 14 days from the filing of appellee's brief. If a cross-appeal is filed, appellee has the option of filing the last reply brief. See Rule 31(a), Ala.R.App.P.

**ATTORNEY FEE REQUEST:** In any case in which an attorney is requesting attorney fees on appeal, the attorney is to attach an itemized statement to the request. The attorney fee request must be made at the time of the filing of a party's brief. The request may be made in either the brief or by separate motion which should accompany the brief.

Briefs must be bound on the left. Any clasps, staples or other fasteners used to bind the briefs must be covered by tape (nylon reinforced tape suggested) to prevent any injury to those handling the brief.

An original and 5 copies of all briefs are required. Although, if you are electronically filing, please send transaction receipt and 5 copies. Color of covers to be used on briefs are: appellant's brief/blue, appellee's brief/red, appellant's reply brief/gray, intervenor or amicus curiae brief/green, and rehearing briefs/white. BRIEFS MUST COMPLY WITH RULE 28, Ala.R.App.P.

Papers shall be deemed filed in the appellate court clerk's office on the date of mailing ONLY if mailed certified, registered, or express mail if the United States Postal Service is used or dispatched through a third-party commercial carrier for delivery as outlined in Rule 25(a), Ala.R.App.P. Electronic filing is "deemed filed" when document is uploaded and efiled.

NO EXTENSIONS will be granted for filing an Application for Rehearing and brief in support of an Application for Rehearing or for filing a Reply Brief to the Application for Rehearing.

The Rules governing admission to the Alabama State Bar have express direction for counsel appearing pro hac vice. If counsel desires to make a pro hac vice appearance in this Court, please contact this office for specific requirements.

In forma pauperis status in civil cases generally waives the \$200 docket fee and security for costs only. Proper financial arrangements must be made for the completion of the clerk's record and the court reporter(s)' transcript in civil cases. See Rule 24, Ala.R.App.P. (Committee Comments). The grant of in forma pauperis status allows for a transcript without payment in some appeals from juvenile court.

Rebecca C. Oates, Clerk

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APPENDIX D



**SUPREME COURT OF ALABAMA**

JULIA JORDAN WELLER  
CLERK OF COURT

L. BETH HAISTEN  
ASSISTANT CLERK

LARRY ISRAEL  
CHIEF FINANCIAL OFFICER

OFFICE OF THE CLERK  
300 DEXTER AVENUE  
MONTGOMERY, AL 36104-3741  
(334) 229-0700

December 2, 2019

William N. Lucy  
AIS # 204880- I2-53A  
Bullock Co. Correctional Facility  
P.O. Box 5107  
Union Springs, AL 36089

Re: Your documents received January 16, 2020

Dear Mr. Lucy:

The Alabama Supreme Court is a court of limited appellate jurisdiction, and its members are bound by the Canons. It can hear only those cases which are appealed to it through the proper procedural channels and it has no independent investigatory powers. It is not possible for the members of the Court or the personnel of this office to intervene in this matter.

Enclosed herewith, we are returning to you the documents we received.

There is no further action that can be taken on your filing.

**/S/ Julia Jordan Weller, Clerk  
Supreme Court Clerk's Office**

APPENDIX E  
**The Court of Civil Appeals**



REBECCA C. OATES  
CLERK

300 DEXTER AVENUE  
MONTGOMERY, ALABAMA 36104-3741  
TELEPHONE 334-229-0733

MEG WILLIAMS FIEDLER  
ASSISTANT CLERK

February 11, 2020

**2190176**

William N. Lucy v. Estate of Annie D. Fox (Appeal from Mobile Probate Court:  
2018-1703)

IT IS ORDERED, by the court, that the appeal in the above styled cause be, and the same is hereby, dismissed for lack of prosecution due to appellant's failure to pay the Mobile County Probate Court for the estimated cost of preparing the record. All pending motions are moot.

IT IS FURTHER ORDERED that the costs be taxed against the appellant(s) as provided by Rule 35, Ala. R. App. P.

I, Rebecca C. Oates, Clerk of the Court of Civil Appeals of Alabama, do hereby certify that the foregoing is a full, true, and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court. Witness my hand this 11th day of February, 2020.

*Rebecca C. Oates*

Rebecca C. Oates

## APPENDIX F

**STATE OF ALABAMA  
COURT OF CIVIL APPEALS**



May 18, 2020

2190176

William N. Lucy v. Estate of Annie D. Fox (Appeal from Mobile Probate Court: 2018-1703)

## CERTIFICATE OF JUDGMENT

The appeal in this cause having been duly submitted, IT IS CONSIDERED, ORDERED, AND ADJUDGED that the appeal was dismissed on February 11, 2020, for lack of prosecution due to appellant's failure to pay the Mobile County Probate Court for the estimated cost of preparing the record.

IT IS FURTHER ORDERED that the costs of appeal are taxed against the appellant(s) and sureties as provided by Rule 35, Alabama Rules of Appellate Procedure.

The Petition For Writ of Certiorari filed in the Supreme Court of Alabama on March 4, 2020, was denied on May 15, 2020. The certificate of judgment is being transmitted on May 18, 2020.

Rebecca C. Dotes

Rebecca C. Oates  
Clerk, Court of Civil Appeals

## CHARGE AND DISCHARGE CYCLES

*APPENDIX F*

**IN THE SUPREME COURT OF ALABAMA**



**May 15, 2020**

1190475

Ex parte William N. Lucy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: William N. Lucy v. Estate of Annie D. Fox) (Mobile Probate Court: 2018-1703; Civil Appeals : 2190176).

**CERTIFICATE OF JUDGMENT**

WHEREAS, the petition for writ of certiorari in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on May 15, 2020:

**Writ Denied. No Opinion.** Parker, C.J. - Shaw, Bryan, Mendheim, and Mitchell, JJ., concur.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Julia J. Weller, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true, and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 15th day of May, 2020.

*Julia Jordan Weller*

Clerk, Supreme Court of Alabama