

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

JOHN R. BENN,

*

Plaintiff,

*

v.

*

Case Number: CV-2002-184

ROBERT NOVAK,

*

Defendant.

*

NOTICE OF FILING DEEMED ADMISSIONS

Comes now the Plaintiff, John R. Benn, and pursuant to Rule 33(a) files the attached Requests for Admissions which Defendant Novak having failed to respond within thirty (30) days are not considered deemed admissions for purposes of this litigation. In support of this Notice, Plaintiff would show as follows:

1. That on November 5, 2002, Plaintiff filed and served his Third Set of Requests for Admissions on Defendant Novak (attached hereto).
2. That more than thirty (30) days have lapsed and Defendant Novak has failed to respond as required by Rule 33 of the Alabama Rules of Civil Procedure.
3. That pursuant to Rule 33(a) the matters contained in these Requests for Admissions are now admitted.

Wherefore, the matters reflected in Plaintiff's Third Request for Admission are now conclusively established for purposes of this litigation.

Date

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Pro se
104 West Third Street
Sheffield, AL 35660
256-386-7685
BEN009
ASB-0868-B23J

CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that, prior to or immediately after filing the foregoing with the Court, I mailed U.S. Mail, postage prepaid, or delivered by hand a copy to:

Mr. Robert Novak
1550 Sunrise Highway
Copaigue, New York 11726

Date: _____

John R. Benn