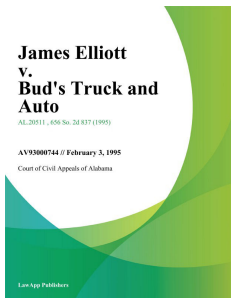


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## JAMES ELLIOTT V BUD S TRUCK AND AUTO EBOOKS 2019



Author: Court of Civil Appeals of Alabama

Realese Date: Expected @@expectedReleaseDate@@

THIGPEN, Judge The limited record discloses that in August 1993, James Elliott applied for a hearing pursuant to the Abandoned Motor Vehicle Act, Ala. Code 1975, § 32-13-4. An order was entered staying the sale of Elliott's vehicle, as apparently proposed by Bud's Truck and Auto Repair. The court set a hearing, and, following an ore tenus proceeding, it entered a final order which set aside the stay and awarded a monetary judgment against Elliott. Elliott's post-judgment motion was denied by operation of law. Elliott appeals. The record does not contain a transcript of the testimony considered by the trial court, nor did Elliott prepare an evidentiary statement pursuant to Rule 10(d), A.R.App.P. That rule provides an appellant the opportunity to prepare a statement of the evidence in lieu of a transcript. Elliott has chosen not to provide this court with any evidence considered by the trial court, and we find nothing in the scant record to indicate what occurred before Elliott requested a hearing, or what transpired at the hearing.

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