CULLMANSCOREBOARD.COM #HSFOOTBALL SCORING WRAP-UP

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The Cullman Tribune

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TRIBUNE EXCLUSIVE

Federal judge issues preliminary injunction in Cullman County indigent bond cases



WENDY SACK/THE CULLMAN TRIBUNE

The Cullman County Detention Center

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NICK GRIFFIN/THE CULLMAN TRIBUNE

Good Hope quarterback Bailey Quick (2) fires a pass down field during Friday night's win over Cordova.

Good Hope opens region play with 43-24 win over Cordova

Nick Griffin
nick@cullmantribune.com

GOOD HOPE – Raider fans got to pack out their home stadium Friday night for the first time this season and the Raider team on the field gave them a fun show to watch. Good Hope (Class 4A, Region 5) ran through the Cordova Blue Devils (Class 4A, Region 5) 43-24 in a game that wasn't as close as the final score would indicate. The big win at home puts Good Hope at 3-0 so far this season and 1-0 in region play.

The Raiders' offense struck first about midway through the first quarter when quarterback Bailey Quick connected with wide receiver Preston Bagwell for a 25-yard touchdown. After a fumble and turnover on downs, Good Hope extended its lead to 15-0 thanks to a 29-yard touchdown run from running back Matt Dixon. Dixon finished the night with 82 yards on 12 carries and a touchdown to go along with two catches for 64 yards and another score.

Running back Colton Bagwell added to the lead when he plowed his way into the end zone from 8 yards out, putting the Raiders up 22-0 in the second quarter. With less than two minutes to play in the half, Cordova finally got on the board with a 70-yard touchdown run. Good Hope answered almost immediately with a 31-yard touchdown run from Quick that gave the Raiders a 29-8 lead at the half.

Outside of the touchdown just before the half, the Good Hope defense completely smothered Cordova's offense. The Raider defense generated five negative plays and interceptions from defensive lineman Ethan Rasco and defensive back Johnny Quick in the first half alone, and the long scoring play accounted for 70 of the Blue Devils' 114 yards of offense before halftime. On the other side of the field, Good Hope racked up 278 yards on offense in the opening half, including 183 yards on the ground.

Quick added another touchdown on the ground to go up 36-8 at the start of the third quarter and later found Dixon for a 27-yard touchdown that ended his night under center for the Raiders. Quick didn't complete a high percentage of his passes, but he was still able to find the end zone pretty often for Good Hope. He completed six of his 14 passes for 122 yards and two touchdowns while also leading the Raiders in rushing with 121 yards and two more scores.

The Blue Devils were able to get on the board a couple more times in the second half against a younger unit for Good Hope, but the lead was too much for Cordova to come back from and the Raiders defeated their region foe 43-24.

After the game, Raiders Head Coach Alan Scott talked about the biggest positives and negatives that he took away from the win. "I thought we came out a little flat to begin the night, but we got clicking pretty good there later in the first half. We threw the ball around, ran the ball well and played good defense. We allowed them to pop one right there before the half and I was a little disappointed in that, but the offense came right back and scored," Scott said. "We came out to start the second half and took care of business and got a lot of young guys in there in the third quarter and (Cordova) kind of took advantage of that for a couple drives, but overall, I'm proud of our guys' effort. Anytime you get a region win you're very thankful for that so I'm just proud of the guys and how they fought tonight."

The Good Hope Raiders will be back home next week as they gear up to face the Tanner Rattlers (Class 2A, Region 7).

2nd annual Bernard Blues and BBQ Arts, Crafts and Music Festival today and Sunday

Johnsonville Big Taste Grill rolls into Cullman for event

W.C. Mann
craig@cullmantribune.com

At a glance
Bernard Blues and BBQ Arts, Crafts and Music Festival

- 9 a.m. until 5 p.m., Saturday and Sunday, Sept. 8-9 at St. Bernard Abbey and Prep School (1600 St. Bernard Dr. SE, Cullman)
- $5 donation admission, children 5 and younger free
- $3 discount admission to the Ave Maria Grotto during the event

CULLMAN – On Friday morning, the Johnsonville Big Taste Grill rolled into Cullman ahead of its scheduled visit to St. Bernard Abbey for this weekend's Bernard Blues and BBQ event.

The giant cooking contraption, one of two custom converted semi-trailers owned by Johnsonville, LLC, will be used to cook up brats in the parking lot of the Ave Maria Grotto, and proceeds from sales will go to fund programs at St. Bernard Prep School.

The Tribune stopped by and met Johnsonville grillmaster Jay Wetzel, who shared:

"We'll be here with the festival, serving up brats, raising money, which is always a great thing. The nice thing about what Johnsonville does with the grills is, anywhere we go, we're always tied in with a charity organization and help raise money for them to use the money in various different ways."

One of the company's rigs travels across the country, while the Big Taste Grill in Cullman is one dedicated to traveling the highways and byways of Southeastern Conference country, traveling to festivals and SEC games throughout the region every week through the conference championship in December.

The trailer contains an internal freezer that can hold 6,000 brats, four large grills, and steam tables, along with sinks and other devices.

The grills can accommodate up to 750 brats at a time and churn out up to 2,500 per hour with up to 12 grillmasters working at a time.

Wetzel's goal is to sell 3,000 brats at the festival, but he also said, "I'd love to blow it out of the water and do more."

Volunteer grillmasters will be cooking up Johnsonville "Ultimate Original" and "Better with Cheddar" brats.

"Roll Tide" or "War Eagle?"

The Johnsonville team will also be giving away Alabama and Auburn T-shirts, and event coordinator Joyce Nix and her St. Bernard team will be counting shirts to see who has the biggest and most loyal fan base in the Cullman area.

What expect at the festival

Nix shared, "We have about 70 booths set up with arts and crafts from all over the southeastern United States.

"We have a lot of demonstrators on-site, actually caning chairs and making brooms. A great time to come and buy Christmas gifts or birthday presents, or just to decorate your home.

"The Bloomin' Festival, it took a while for it to grow, and we expect to see Bernard Blues and BBQ grow, too.

"We've had a wonderful outpouring of support for it from our sponsors who make it all possible. The media has been incredible for us.

"And we are just appreciative of all the help of volunteers and our local folks that make it all happen.

"Barbecue: I can't say enough about Freddie Day catering. He's been fantastic! He'll be cooking up some ribs and some of the finest pulled pork in the Southeast.

"And then, of course, we've got the Johnsonville Brats team; we're really pleased to have them. Frank's Hot Sauce will be with us.

"They'll be tossing up some chicken wings and doing some free samples of 'Do you like it hot or do you like it sweet.' So you tell us which one you like best.

"And then, of course, to round out the show we've got live entertainment from all over Alabama, even out of Tennessee--the Blues Hammer Band. And then, on Sunday afternoon, we'll give away $10,000; you don't want to miss that. (A) $5-dollar donation to St. Bernard Prep School entitles you to an opportunity to win."

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‘Concerts in the Park’ series kicks off with The Pylant Family

Hayden Hyatt
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CULLMAN – Lots of folks came out to Heritage Park Thursday evening to hear The Pylant Family, a Southern gospel music group, perform as part of Cullman Parks, Recreation, & Sports Tourism’s annual September “Concerts in the Park” series.

The group performed Southern gospel songs and even “God Bless the USA” for the crowd at the free event.

Attendees were also treated to free water.

The performance was the first in this month’s “Concerts in the Park” series, which will feature a different live musical performance every Thursday in September at 6 p.m. at the park.

Heritage Park Assistant Manager Paul Downs said this isn’t the first year the park has put on concerts like this.

“We’ve been doing this for a few years now,” said Downs.

“Every month in September we offer free concerts on Thursday evenings.

″A lot of people like to come out and have a good time and it’s free and we hand out free waters.”

Although Thursday’s concert was a gospel group, the series in the past has featured a variety of genres and plans to again this year, according to Downs.

“There’s different ones; we’ve had Elvis impersonators in the past, gospel and country, we even had a Conway Twitty impersonator up here,” Downs smiled.

“Just different stuff to try and satisfy every want and need.”

Downs said these concerts offer the public free, family-friendly entertainment.

“Being free, you know people who can’t afford these expensive tickets to go to concerts can come and watch,” said Downs.

“It’s just out there for people to come and see, so they’re not out anything and they get a free water while they’re sitting there and just fellowship with people and have a good time.”

This year’s series of concerts at the park will feature familiar hits and performances, said Downs.

“The 13th of this month we will have JD Pollard; he’s an Elvis and Conway Twitty impersonator,” said Downs.

“The 20th is Crosby Lane; they are a country group, then our last one on the 27th is the Fairlanes, that’s Butch Bradford; he does the ‘50s and ‘60s songs; it’s all different each week and it’s all free.”

Bobby Parker was enjoying the music at the concert and has enjoyed the events throughout the years.

“I’m just out here listening to this music,” said Parker.

“This is the first time I’ve been out here this year for this, I’ve been here for it years in the past. I’ve really enjoyed it.”

Downs invites all those interested to come out for the next concert.

“Just come on out and bring a chair,” said Downs “It’s free; you can’t beat that.”

Wallace State’s Jimmy Hodges, Austin Monk complete Alabama Certified Workforce and Economic Developer program

Russell Moore
WSCC

HANCEVILLE – Jimmy Hodges, Wallace State’s dean of Applied Technologies, and Austin Monk, Wallace State’s director of workforce development, participated in the second meeting of the Alabama Certified Workforce and Economic Developer (ACWED) program last week in Montgomery.

The ACWED program, established by the Alabama Community College System (ACCS), is a yearlong program that will have monthly meetings designed to provide any individual who is involved in workforce development with the knowledge, skills and abilities to actively participate in workforce and economic development activities in their regions. Completers of the ACWED program gain an awareness of workforce programs across the state, skills in assessing their community’s workforce needs, a deeper understanding of the world and language of business and industry, knowledge of how to develop solutions to a community’s workforce needs, specialized skills to sell and deliver workforce solutions to clients and a certification validating their achievement.

Hodges and Monk also recently presented about Wallace State’s Applied Technologies programs and Workforce Development initiatives and goals at the Cullman Area Chamber of Commerce’s monthly Biscuits and Business event.

Wallace State’s Applied Technologies Division consists of 16 programs, tailored to the employment needs of area businesses and industries.

For more information about Wallace State, visit www.wallacestate.edu.



Welcome to the benefits of true community banking.

We started out local and we plan to stay that way.

When Citizens Bank & Trust was founded in North Alabama in 2003, we planned to be here for awhile. Today we’re stronger than ever, thanks to our Cullman location – and a commitment to stability that makes a difference. Of course, we also offer excellent products delivered with a smile. In today’s world of come-and-go banks, we invite you to enjoy the benefits of true local banking. Citizens Bank & Trust – small bank, big difference, and glad to call Cullman home.



Local Bank. Local Banker.
Seems right to us. As a Cullman native, local President Alan Wood knows the community well. He’s also an experienced banker who gets things done. Give Alan a call to see how he can help you.

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DO YOU KNOW?
FOR EACH EXHIBIT YOU ENTER IN THE
2018 CULLMAN COUNTY FAIR
YOUR NAME WILL BE ENTERED IN A DRAWING ON OCT. 13th, FOR A MONEY PRIZE.
THE FIRST NAME DRAWN WILL RECEIVE A GRAND PRIZE OF $500.00 !!
AFTER THE GRAND PRIZE DRAWING, 20 MORE NAMES WILL BE DRAWN FOR $100.00 EACH.
THERE IS NO CHARGE TO ENTER EXHIBITS.
EXHIBITORS MAY WIN ONE TIME ONLY PER FAIR YEAR, PRESENCE TO WIN NOT REQUIRED.
THE 2018 CULLMAN COUNTY FAIR OPENS ON OCTOBER 4th.
* The Cullman County Fair is a fund raising project of the Cullman Lions Club *
www.cullmanfair.com

4TH ANNUAL
Caring FOR Cullman CONCERT
BENEFITTING THE GOODSAMARITAN HEALTH CLINIC
Thursday, October 18, 2018 - 7:00 PM
Cullman High School Auditorium
- Doors Open at 6:00 PM -
Featuring the award-winning TRIUMPHANT QUARTET & WALLACE STATE JAZZ BAND!
ALL TICKETS ARE GENERAL ADMISSION
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A love offering will be received the evening of the concert.
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Arrest reports: Sept. 4-6

Wendy Sack
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CULLMAN – Below are the arrests reported for Sept. 4-6, 2018. All persons are innocent until proven guilty.

GJ = grand jury; **FTA** = failure to appear

TUESDAY-WEDNESDAY, SEPT. 4-5, 2018
CULLMAN COUNTY SHERIFF'S OFFICE
Tuesday, Sept. 4, 2018

Aaron, Benjamin Lee, 39
• FTA- third-degree domestic violence-harassment

Adams, Michael John, 44
• sexual offender failure to register termination SORNA

Baker, Caresha Ann, 28
• possession of drug paraphernalia
• illegal possession of prescription medicine
• second-degree promoting prison contraband
• second-degree unlawful possession of marijuana
• unlawful possession of a controlled substance

Barber, Elvis Aaron, 40
• FTA- driving while canceled

Chisolm, John Harmon, 49
• fourth-degree theft by deception

Davis, Katherine Dawn, 36
• possession of drug paraphernalia

Deboard, Travis Shane, 26
• probation violation-illegal possession or use of a credit or debit card (old charge)
• probation violation-first-degree theft of property
• probation violation-third-degree theft of property (2 counts)

Knop, Marshall Cois, 65
• negotiating a worthless negotiable instrument (2 counts)

McGaugh, Douglas Keith, 63
• GJ- third-degree theft of property

Myre, Heather Nicole, 35
• FTA- attempt to commit a controlled substance crime

Odom, Christopher Silvie, 43
• possession of drug paraphernalia
• second-degree unlawful possession of marijuana
• unlawful possession of a controlled substance

Parker, Therron Dewayne Jr., 28
• FTA- possession of drug paraphernalia

Pearson, Shannon Foy, 45
• third-degree domestic violence- harassment

Powell, Nathan Allen, 27
• possession of drug paraphernalia
• FTA- writ of arrest-child support

Prichard, Justin Michael, 28
• FTA- third-degree burglary

Reynolds, William Christopher, 44
• probation violation-third-degree burglary

Sharitt, Timothy Jay, 34
• FTA- distributing a private image
• FTA- expired tag
• FTA- violation of a domestic violence protection order

Tarvin, Kristen Leigh, 22
• public intoxication

Wednesday, Sept. 5, 2018
Albrets, Kerry Lee, 63
• third-degree domestic violence

Bartlett, Michael Shawn, 40
• first-degree financial exploitation of the elderly
• third-degree forgery
• illegal possession or use of a credit or debit card
• third-degree theft of property

Bates, Mark Anthony, 40
• FTA- first-degree theft of property

Buckelew, Lacie Marie, 28
• DUI- .08 BAC or greater

Copeland, Jason Anthony Pete, 18
• unlawful breaking and entering of a motor vehicle

Grund, Sheila Kay, 50
• FTA- seatbelt required

Hogeland, Felicia Marshae, 27
• probation violation-obstruction/ using a false ID

Martin, Eric Austin, 40
• FTA- driving while revoked
• FTA- liability insurance required

Steele, Jonathan Eric, 28
• FTA- possession of drug paraphernalia
• FTA- speeding

Swann, Jackie, 49
• FTA- driver's license not in possession

CULLMAN POLICE DEPARTMENT
Wednesday, Sept. 5, 2018

Woods, Arron B., 18
• third-degree criminal mischief (2 counts)

Pugh, Ashley C., 18
• unlawful possession or receipt of a controlled substance
• possession of drug paraphernalia
• second-degree promoting prison contraband

Myrex, Heather N., 35
• FTA- possession of drug paraphernalia
• FTA- driving while suspended
• FTA- improper lane usage

Aldridge, Mark A., 55
• public intoxication

McCrory, Amber N., 37
• GJ- first-degree theft by deception
• GJ- home repair fraud

Strickland, Madison C., 18
• fourth-degree theft of property

Fuller, Cregary A., 42
• unlawful possession or receipt of a controlled substance

Pratt, Bruce L., 36
• unlawful possession or receipt of a controlled substance
• second-degree unlawful possession of marijuana
• possession of drug paraphernalia

HANCEVILLE POLICE DEPARTMENT
No report provided.

THURSDAY, SEPT. 6, 2018
CULLMAN COUNTY SHERIFF'S OFFICE
No report provided.

CULLMAN POLICE DEPARTMENT

Graves, Angela M., 45
• unlawful possession or receipt of a controlled substance
• second-degree unlawful possession of marijuana
• possession of drug paraphernalia

McClellan, Lee Z., 27
• unlawful distribution of a controlled substance (3 counts)

Tizapa, Filiberto L., 26
• FTA- driving without a license
• FTA- insurance violation

HANCEVILLE POLICE DEPARTMENT
No report provided.

Find arrest reports online Monday-Friday at www.CullmanTribune.com.

Charter offering low-cost internet to seniors, low-income families; donates $3K to Commission on Aging

Hayden Hyatt
hayden@cullmantribune.com

CULLMAN – Charter Communications on Thursday morning presented a check for $3,000 to the Cullman County Commission on Aging, during the "A Healthy Life's a Beach" senior health fair at the Donald Green Senior Center.

Charter's Director, Government Affairs, Taylor Vice, spoke at the event and highlighted the company's Spectrum Internet Assist (SIA) program.

The program provides low-cost, high-speed broadband internet service to seniors who are 65 and older and receive Supplemental Security Income program benefits, as well as families with students who participate in the National School Lunch Program. (See more details below.)

Rep. Randall Shedd, R-Fairview thanked Charter for its support.

"I want to say just a special thanks to Charter Communications Spectrum for the good program that you've started," said Shedd.

"Seniors and disabled may not know about some of the advantages that you can have with broadband and high-speed internet, so we are glad to get this message out.

"We passed legislation this past year, this past session to try to expand high-speed internet across all of our state, especially rural Alabama. So it's good to see them offering programs for our low-income and our seniors and disabled."

About Spectrum Internet Assist (SIA)

Spectrum Internet Assist (SIA) is the low-cost, high-speed broadband service offered by Charter for qualifying families and seniors.

The service delivers industry-leading 30/4 Mbps broadband speeds for $14.99 per month, up to three times faster than comparable services offered by competitors and exceeds the Federal Communication Commission's (FCC's) definition of "high-speed." Users can expect standard features like email boxes, internet security software and a modem at no additional charge.

"Charter is excited to bring a whole new world of digital access and opportunity to low-income families and seniors. Spectrum Internet Assist is an important next step in providing true high-speed connections to those who would otherwise continue to face a digital inequality in this country," said Tom Rutledge, chairman and CEO, Charter Communications.

"It's crucial for cable and broadband providers like us to play a role in bridging the digital divide so that everyone has access to the information and tools they need to succeed in today's economy," Rutledge said.

To assist consumers with the eligibility process and enrollment, Charter has launched a dedicated Spectrum Internet Assist website: www.SpectrumInternetAssist.com.

Prospective enrollees may also call the Spectrum Internet Assist toll-free helpline at 1-844-525-1574 for assistance.

Spectrum Internet Assist Eligibility

• Families with students who participate in the National School Lunch Program.
• Seniors who are 65 and older who receive Supplemental Security Income program benefits.

Additional Criteria:

• Current phone and video customers who meet one of the two criteria above can enroll.
• Prospective SIA enrollees cannot have had a Charter/Time Warner Cable/Bright House Network broadband subscription within 30 days of signing up.
• Eligible participants will not need to undergo a credit check. but they must clear any outstanding debt with Charter, Time Warner Cable or Bright House Networks.

Legal Notice

Notice is hereby given to all owners, secured parties and lienholders of the following described motor vehicles, which I have a right to sell at public auction, to the highest bidder, in accordance with the State of Alabama abandoned vehicle law, Statues, Chapter 13, Section 1-8, Title

2007 Nissan Altima, Vin. #1N4AL21E67C165194.
2004 Saturn Vue, Vin. #5GZCZ23D545898150.

These vehicles will be sold to pay storage and or repair fee at Ponder's Wrecker Service, 2600 Alabama Highway 157, Cullman, Alabama 35058, on Saturday, October 20, 2018, at 8:00 a.m.

MORTGAGE FORECLOSURE NOTICE

Default having been made in the terms of that mortgage executed on January 23, 2015 by Bismillah Holdings, LLC, an Alabama Limited LIability Company, to EvaBank, which said mortgage is recorded in Book MTG 1752, Page 590 in the Probate Office of Cullman County, Alabama, and default continuing, and by virtue of the power of sale contained in said mortgage, the following described property will be sold at public outcry, for cash, to the highest bidder, in front of the Courthouse door of said County, in Cullman, Alabama, during the legal hours of sale on September 28, 2018:

PARCEL I:
All that part of the Southeast Quarter of the Northwest Quarter of Section 31, Township 11 South, Range 4 West, Cullman County, Alabama lying South of Smith Lake in Cullman County, Alabama.

Less and Except: All that portion of the above described property taken by Alabama Power Company for Smith Lake as described in that certain Petition for Condemnation as recorded in Final Record 31-42, Page 121 and Final Order of Condemnation recorded in Final Record 31-43, Page 001.

ALSO: A 100 foot wide ingress-egress and utilities easement described as follows:
Beginning at a point on the East boundary line of the property owned by Harold R. Pinion and wife, Mary B. Pinion, described in Book 442, Page 688, said point being 210 feet West of the East boundary line of the Northeast Quarter of the Southwest Quarter, thence East 100 feet, more or less, to a point; thence South, parallel to the East boundary line of the Northeast Quarter of the Southwest Quarter to a point on the North line of County Road 143 (Howlett-Henderson Road); thence West along the North line of County Road 143 (Howlett-Henderson Road) 100 feet, more or less, to a point on the East boundary line of the property owned by Harold R. Pinion and wife, Mary B. Pinion, described in Book 442, page 688; thence North, parallel to the East boundary line of the Northeast Quarter of the Southwest Quarter to the point of beginning.

PARCEL II:
The North half of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 4 West, Cullman County, Alabama.

Less and Except: That portion of the subject property taken by Alabama Power Company for Smith Lake as described in that certain Petition for Condemnation, recorded in Final Record 31-42, Page 121 and Final Order of Condemnation, recorded in Final Record 31-43, Page 001.

PARCEL III:
Beginning at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 4 West, for the point of beginning; thence North 1°05'30" East along the West line of said quarter-quarter section a distance of 662.73 feet, thence South 89°18'90" East a distance of 1246.80 feet to the 510 contour of Smith Lake; thence along said contour South 36°18'13" East a distance of 81.68 feet; thence along said contour North 80°48'25" East a distance of 217.57 feet; thence along said contour South 85°34'18" East a distance of 176.09 feet; thence along said contour South 3°08'04" West a distance of 175.77 feet; thence along said contour South 23°16'42"West a distance of 283.68 feet; thence along said contour South 34°13'14" West a distance of 97.30 feet, thence along said contour South 3°59'52" West a distance of 110.82 feet, thence North 87°06'15" West a distance of 195.49 feet to the Northeast corner of Northwest Quarter of the Southeast Quarter of said Section 31; thence South 1°12'36" West along the West line of said quarter-quarter section a distance of 860.38 feet; thence South 51°22'14" West a distance of 869.45 feet to the Northerly right of way line of Howlett-Henderson Road; thence around a curve in a clockwise direction having a delta angle of 06°01'42" an arc distance of 227.10 feet; a radius of 2158.48 feet and a chord of North 71°29'21" "West a distance of 227.00 feet; thence North 68°28'30" West a distance of 59.89 feet; thence around a curve in a counterclockwise direction having a delta angle of 28°57'37" an are distance of 342.72 feet, a radius of 678.05 feet, and a chord of North 82°57'19" West a distance of 339.08 feet; thence South 82°33'52" West a distance of 136.69 feet to a point; thence around a curve in a counterclockwise direction having a delta angle of 35°12'10", an are distance of 104.45 feet; a radius of 170.00 feet, and a chord of South 64°57'47" West a distance of 102.81 feet to a point; thence South 47°21'42" West a distance of 29.17 feet to a point, thence North 1°06'48" East a distance of 1365.25 feet; thence South 89°21'06" East a distance of 209.89 feet to the point of beginning

PARCEL IV:
Commence at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 31, Township 11 South, Range 4 West; thence South 0°56'55" West along the East line of said quarter-quarter section a distance of 1.87 feet to the point of beginning said point being on the Southerly right of way line of Howlett Henderson Road; thence South 0°56'55" West a distance of 627.52 feet, thence North 89°19'42" West a distance of 355.18 feet; thence North 11°53'40" West to the Southerly right of way line of Howlett Henderson Road a distance of 460.49 feet; thence North 70°41'12" East a distance of 272.78 feet; thence North 47°21'42" East a distance of 55.00 feet to a point; thence around a curve in a clockwise direction having a delta angle of 35°12'10" an arc distance of 79.87 feet, a radius of 130.00 feet, and a chord of North 64°57'47" East a distance of 78.62 feet to a point; thence North 82°33'52" East a distance of 92.11 feet to the point of beginning.

PARCEL V:
Commencing at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 4 West; thence North 01°05'30" East a distance of 662.73 feet to the point of beginning; thence South 89°18'11" East a distance of 111.33 feet to the 510 contour; thence North 50°49'35" West along said 510 contour a distance of 23.87 feet to a point; thence North 69°42'10" West along said 510 contour a distance of 97.98 feet to a point; thence South 01°05'30" West a distance of 47.72 feet to the point of beginning.

PARCEL VI:
Commencing at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 4 West; thence North 01°05'30" East a distance of 662.73 feet to a point; thence South 89'18'11" East a distance of 223.78 feet to the point of beginning, said point being on the 510 contour; thence North 59°40'48" East along said contour a distance of 25.95 feet; thence North 54°07'47" East along said contour a distance of 43.78 feet to a point; thence North 52°35'36" East along said contour a distance of 53.68 feet to a point; thence North 64°08'32" East along said contour a distance 66.92 feet to a point; thence North 88°41'26" East along said 510 contour a distance of 70.28 feet to a point; thence South 80°42'56" East along said contour a distance of 70.13 feet to a point; thence North 76°04'18" East along said 510 contour a distance of 61.56 feet to a point; thence South 88°52'08" East a distance of 65.24 feet to a point; thence North 74°44'30" East along said 510 contour a distance of 66.79 feet; thence South 87°11'23" East a distance of 63.71 feet to a point; thence South 82°42'17" East along said 510 contour a distance of 63.12 feet to a point; thence South 73°56'15" East along said 510 contour a distance of 68.33 feet to a point; thence South 75°14'12" East along said 510 contour a distance of 66.98 feet to a point; thence South 68°29'35" East along said 510 contour a distance of 52.65 feet to a point; thence South 80°04'49" East along said 510 contour a distance of 72.73 feet to a point; thence South 62°26'45" East along said 510 contour a distance of 59.46 feet to a point, thence South 64°16'33" East along said 510 contour a distance of 39.40 feet to a point; thence South 43°56'08" East along said 510 contour a distance of 14.05 feet to a point; thence North 89°18'11" West a distance of 964.95 feet to a point of beginning.

Said sale is made for the purpose of paying the mortgage debt and cost of foreclosure.

EvaBank, Mortgagee
Dewayne N. Morris
Attorney for Mortgagee
2131 Third Avenue North
Birmingham, Alabama 35203
The Cullman Tribune-September 8, 15, 22, 2018

THE CULLMAN TRIBUNE
SEPTEMBER 8, 2018

West Point falls in region-opener shootout to Hamilton, 48-42

Sammy Confer
sammy@cullmantribune.com

WEST POINT – The West Point Warriors (Class 5A, Region 7) stayed at home for the third straight week as they faced off against Hamilton (Class 5A, Region 7) in their region opener. It went back-and-forth for most of the game, but the Warriors wound up falling, 48-42.

West Point's defense forced the Aggies to punt on their first possession, the first of only five punts that happened in the game. And on just their third play of the series, Rylan Jones found Kolton Sapp for a 52-yard touchdown to put the Warriors on the scoreboard with 9:23 remaining in the opening quarter. Back-to-back punts by both teams saw Hamilton with the ball at the 48-yard line, and Jathan Jackson gained all 58 yards on the ground on the drive, including a 4-yard touchdown, to tie the game at 7. Jackson wound up finishing the game with 304 yards on the ground. Both teams went back-and-forth for the rest of the first half putting up touchdowns.

On West Point's next series, Jones started it with a 31-yard pass to Steven Rodriguez, which put the Warriors at the 32-yard line to end the first quarter. Hunter Persall finished the drive with a hard-nosed 16-yard touchdown run to put the Warriors back up, 13-7, after the blocked PAT. The duo of Gabriel Anglin and Jackson carried the load on their next series, with Anglin finishing it off with a 7-yard touchdown run to put the Aggies up, 14-13. Persall gave West Point the lead right back as he scored on a 69-yard run down the left side on the first play to make it a 21-14 game after the 2-point conversion. Persall finished the game with 114 yards on 13 carries and two touchdowns.

Hamilton tied the game at 21 on a Jackson 1-yard run, and both teams went into their respective locker rooms with the score still tied at 21.

The second half started out the same as the first for the Warriors; on just the third play of the series, Jones took off down the left side and scored on a 57-yard run to give West Point a 28-21 lead with only 1:40 coming off the clock. The Aggies tied it up once again on their next series as James Brown found Alex Reid on a 62-yard touchdown pass on a third-and-24 play. Jones found the end zone once again on the ground as his 56-yard run broke the tie and gave West Point a 35-28 lead; Hamilton tied it up once again on a 48-yard connection from Brown to William Reid.

The Warriors were forced to punt for just the second time in the game on its next series. A 24-yard run by Brown on the keeper helped set up Jackson's 17-yard touchdown run later on in the series to start out the final period; that gave the Aggies a 42-35 lead with 11:52 remaining in the game.

West Point looked to tie it up once again but turned the ball over on downs. Anglin helped stretch the Hamilton lead on its next series; his 8-yard run found the end zone on a 1-yard run to cut the Aggie lead to just six at 48-42 with 6:01 remaining in the game. The Warrior defense forced a big Aggie punt on its next series. They were pinned on the 9-yard line. After Jones found Persall on a 11-yard pass, Persall got stopped for no gain, and three incompletions later, the Warriors turned the ball over on downs. Hamilton ran the remaining time off the clock, and the Warriors fell in their region opener; they also suffered their first home loss of the season.

Jones finished the game 6 of 13 for 125 yards and a touchdown; he also finished with 139 more on the ground and three scores. Sapp finished with 83 yards on a pair of receptions and a touchdown. The Warriors fall to 2-1 on the season and will look to get their first region win in their road opener at Lawrence County (Class 5A, Region 7) next week.



BILL PIPER

Bulldogs, Guthrie roll over Winston County, 51-18

Barry Barnett
Daily Mountain Eagle Sports Correspondent

DOUBLE SPRINGS – A stout defense and a bruising ground game led the Addison Bulldogs (Class 2A, Region 7) to a 51-18 victory over the Winston County Yellow Jackets (Class 2A, Region 5) Friday night at Malcolm Blake Stadium in Double Springs. The contest between county rivals quickly turned in favor of Addison, as their defense stopped the Yellow Jackets on downs twice in the first quarter to supply the Bulldog offense with great field position.

Starting at its own 47 midway through the first period, Addison marched to their first touchdown, covering the distance in seven plays. The final 5 yards came via a Zayne Guthrie rush around right end to give the Bulldogs a 6-0 lead.

After stopping the Jackets on fourth down once more, the next Addison drive took only two plays. Grant Rice gained 3 yards on first down.

Then Guthrie and Rice carried out a great play fake, with Guthrie keeping the ball and racing 43 yards for the score.

The 2-point conversion put the Bulldogs up 14-0 with 2:21 remaining in the opening quarter.

Addison promptly stopped Winston County's next possession and, after the punt, took over with another short field, starting at the Jacket 46. Five plays later, Rice ran into the end zone from 11 yards out, and the Bulldogs stretched the lead to 22-0.

The Yellow Jacket offense then drove to the Addison 40 before the Bulldogs forced another punt. The kick finally pinned Addison to a starting position deep in its own territory, but Guthrie immediately negated any momentum the Jackets might have built, scampering 86 yards on the next play for his third TD of the night to give the Bulldogs a 30-0 halftime lead.

After intermission, Guthrie would pick up right where he left off. The Bulldog quarterback scored on an 8-yard keeper to cap Addison's first possession of the half and extend the lead to 38-0.

On Addison's next possession, the Yellow Jacket defense finally produced a spark of its own, as Ethan Moore intercepted a Guthrie pass and returned it down the left sideline to the Bulldog 11. Four plays later Brooks Bonds scored on a quarterback sneak from 2 yards out to give the Jackets their first points of the game.

Addison came right back, with Rice scoring on a 6-yard run off left tackle, and the third quarter ended with Addison up by a score of 45-6.

The fourth quarter featured one more Rice rushing TD, this time from 3 yards out, sandwiched between two Yellow Jacket scores. The first came after a 12-play drive, with Bonds scoring on a 3-yard run. The big play in the drive was a 31-yard pass from Bonds to Cade Taylor, who made a diving, one-handed grab. The final score came on a 38-yard run by Jacket sophomore Trey Williamson with 2:30 remaining, to make the final margin 51-18 Addison.

The Bulldogs gained 390 yards rushing for the game, with Guthrie totaling 146 and Rice 120, each on eight carries.

Addison returns home next week to host Red Bay, while Winston County travels to Tarrant.

Tigers shut out on the road by South Lamar, 45-0

Ryan Guthery
Tribune Correspondent

MILLPORT – The Meek Tigers (Class 1A, Region 6) made the trip to Millport to take on the Stallions of South Lamar High School (Class 1A, Region 6) in what turned out to be a lopsided affair in the opening of region play. The Tigers never gave up in the 45-0 shutout; it was just one of those nights.

The Tigers went three-and-out to start the game, then the Stallions hooked up on a 52-yard touchdown pass and catch to take a 7-0 lead with 10:26 left in the first quarter.

The next possession wasn't any better as the Tigers fumbled the ball away to the Stallions; several plays later a 29-yard touchdown put the Stallions up 14-0 with 6:23 to go in the first.

Meek drove down the field looking to cut the lead in half, but once the Tigers got in the red zone the turnover bug bit again, giving the ball back to the Stallions, but this time the Tiger defense forced a punt.

The Tiger offense just couldn't get going, stalling on fourth down. Two plays later the Stallions connected on a 62-yard pass to extend their lead to 20-0 with 5:54 remaining until halftime.

A Tiger punt gave the Stallions one more shot to score before halftime, and with 42 seconds left before the break, a 38-yard TD pass put South Lamar up 26-0.

Coming out of the locker room the Stallions received the ball, wasting very little time before a 60-yard touchdown pass on the first play of the second half made the score 32-0.

On the very next possession, the Stallions intercepted a Tiger pass, setting their offense up in good field position to march right down the field and cap off the effort with a 17-yard touchdown pass and a 39-0 advantage with 6:45 remaining in the third quarter.

A repeat interception set the Stallions up once again, and with 4:08 remaining in the third quarter a 1-yard touchdown run gave the South Lamar a 45-0 lead.

And that's where the score stayed, with backups getting some playing time to end the game.

The Tigers will be back at it next week when they host Hubbertville (Class 1A, Region 6).

J.B. Pennington overwhelms Hanceville, 71-8

Cliff Jones
Tribune Correspondent

HANCEVILLE – It was a lopsided affair Friday night as J.B. Pennington rolled into Hanceville, handing the Bulldogs a tough 71-8 loss and a 0-1 start to region play.

Pennington got off to a slow start but cranked up the pace, scoring 15 unanswered points to end the first quarter.

The second quarter did not go the Bulldogs' way either as Hanceville turned over the ball on first down. Pennington then drove 45-yards in six plays to go up 23-0.

Following a 40-yard touchdown pass from Hanceville quarterback Fred Ellis to Bo Joles, Romael Simmons rumbled in for the 2-point conversion to put the Bulldogs on the scoreboard 23-8.

Pennington would not go away, snatching an interception and tacking on a touchdown before the half, leading the Bulldogs 29-8. Pennington picked up the onslaught in the second half, holding Hanceville to zero points, as the Yellow Jackets added 42-points over the last two quarters to drop the Bulldogs, 71-8.

Hanceville will get back on the practice field this week and look to bounce back when the Bulldogs host Holly Pond (Class 3A, Region 5) next Friday.

Aggies lose region opener to DAR, 52-15

Hayden Hyatt
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FAIRVIEW – The Fairview Aggies (Class 4A, Region 7) came up short against the visiting DAR Patriots (Class 4A, Region 7) 52-15 Friday night, in what was their first region game.

Fairview received the opening kick, but the possession was turned over not long after. Shortly after that, the Patriots scored their first touchdown with a 40-yard pass to Brayden Lewis and an extra point.

Fairview answered back with a 48-yard run for a touchdown by quarterback Dayne Black, who rushed for 83 yards in the game. The Aggies topped it off with a successful extra point, tying the game 7-7.

After that touchdown, Brayden Lewis returned the kickoff for a touchdown for the Patriots, and the extra point made it 14-7.

The Patriots scored again with 36 seconds left in the first quarter with a successful field goal.

After the ensuing kickoff, the Patriots were able to recover the ball from Fairview, retaining possession.

The Patriots were able to hold off the Aggies' offense throughout the rest of the first half and scored two more touchdown themselves, both by Nathan Nelson. After those scores, the Patriots led 31-17 at the half.

The Patriots scored again not long after the start of the second half with another touchdown by Nelson. The Patriots added two more touchdowns in the third quarter that put the game out of reach for Fairview.

The Aggies were able to score one more time in the fourth quarter with a touchdown run from running back Dalton Payne, and the successful 2-point conversion made the final score 52-15, Patriots.

The Aggies will regroup and look to bounce back next week when they travel to face the St. John Paul II Falcons (Class 4A, Region 7).

Decatur topples Cullman 38-13; Bearcats fall to 1-2 on the season

Noah Galilee
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DECATUR – With close to a two-hour delay due to heavy rain and lightning, Cullman (Class 6A, Region 7) and Decatur (Class 6A, Region 7) started late, but the time did not seem to affect the Red Raiders as they jumped out early and often, defeating the Bearcats 38-13 and dropping Cullman to a 1-2 start on the season.

The Red Raiders came out hot, scoring twice in the team's first three possessions.

But the Bearcats would not be denied entry to the end zone when Cullman's Ezra Burks broke through to bring Cullman to a 14-6 deficit before the Red Raiders tacked on two more touchdowns before the end of the first half. The Bearcats trailed 28-6.

The second half was not much different from the first as unforced errors and missed plays allowed Decatur to increase its lead. Decatur's Kenneth Cannon only needed two runs, totaling 90 yards, to put Decatur up 35-6 with less than a minute taken off the clock in the third quarter to start the second half.

Cullman's first possession of the second half resulted in a punt, and the Red Raiders were able to take the return deep into Cullman's red zone.

The Bearcat defense stood strong, forcing Decatur to attempt a field from 22-yards out to give the Red Raiders a 38-6 lead.

Cullman fought back, scoring a touchdown late, to bring the final score to 38-13 in favor of Decatur.

Cullman will face Columbia (Class 6A, Region 7) for homecoming at 7 p.m. next Friday.



JOE MCELROY/THE CULLMAN TRIBUNE

Late field goal gives Vinemont 15-13 win over Westbrook Christian

Alyssa Pylant
Tribune Correspondent

VINEMONT – Westbrook Christian (Class 2A, Region 6) made its way to Vinemont (Class 3A, Region 5) Friday night for the start of region play and were sent home with a 15-13 loss to the Eagles.

Westbrook Christian received the opening kick at the 10-yard line and ran it out to the 25. The Warriors managed for a few plays, but throughout the game there were many incomplete passes for both teams.

Vinemont took possession of the ball after Westbrook failed to gain any ground. Both teams were unable to come up with any type of scoring during the first quarter, but Vinemont managed to intercept the ball from Westbrook and make headway with a couple of first downs on its next drive. In the second, Westbrook took the ball from the 35 to the 48-yard line, setting up the Warriors for a 40-plus-yard touchdown pass. The extra point wasn't successful and after a little back and forth, Vinemont's Dustin Moore intercepted a Warriors' pass and carried it all the way to the 4-yard line, making a clear path for quarterback Jack Hill to find Cam Carter in the end zone for a touchdown. Daniel Flores-Carreno attempted to make a kick but it was blocked by the Warriors.

In the last quarter, Vinemont's Bryce Perkins returned a kickoff 70 yards for a touchdown, but the 2-point conversion was no good. At the end of the last quarter, with less than 5 minutes on the clock, Westbrook found the end zone one more time to go ahead. However, when Vinemont received the ball, the Eagles made a successful 32-yard field goal to go up 15-13 and start region play 1-0.

Vinemont will be back on the field next week when they travel to Midfield (Class 3A, Region 5).



ALYSSA PYLANT/THE CULLMAN TRIBUNE

Late touchdown lifts Eagles over Southeastern, 28-18

Destiny Campbell
Tribune Correspondent

REMLAP – The Cold Springs Eagles (Class 2A, Region 5) traveled to Southeastern (Class 2A, Region 5) in their first regional matchup of the season Friday night. The Mustangs out-gained the Eagles in yards for the first half, 187-74. The Eagles came out and re-gained the momentum the second half by out-gaining the Mustangs 117 yards to just 63. The Eagles fought a hard and scrappy battle and came out on top 28-18, delivering the Mustangs their first defeat of the season and putting the Eagles at 3-0.

The evening got off to a slow start, but the Mustangs pulled ahead quickly with a touchdown in the second quarter.

The PAT was blocked by Francisco Ayala leaving the score 6-0. The Eagles quickly answered with a beautiful 50-yard pass made by sophomore quarterback Brodi Williams to sophomore receiver Roberto Ayala for a touchdown followed by his brother, Francisco Ayala, with the extra point making the score 7-6 Cold Springs. Southeastern scored again on a 25-yard pass with 7:05 left in the second quarter, ending the half with Southeastern on top, 12-7.

The Mustangs took possession to begin the third quarter, which ended with an Eagles interception by sophomore Ayden Alexander. The Eagles marched down the field with Alexander capping off the drive with a 4-yard touchdown, and the PAT by Francisco Ayala was good. The Eagles took back the lead 14-12, never to lose it again.

The next possession for the Mustangs ended with an interception by senior defensive back Mason Harris, who returned it for 20 yards. The Eagles ended the drive with a 2-yard touchdown by senior running back Calvin McNabb. The Mustangs gained possession, and after a 30-minute rain delay, drove the ball down the field for another touchdown, cutting the Eagles' lead to 21-18.

Cold Springs took over with six minutes to play and proceeded to grind the ball and the time down to 5 seconds to score the final touchdown on a 2-yard run by McNabb.

The leading rusher for the Eagles was McNabb with 68 yards and two touchdowns, averaging 3.4 yards per carry. Williams completed 4 of his 7 passes for 97 yards and a touchdown.

Harris had a 45-yard punt return in the first quarter and Francisco Ayala led in tackles, completing seven solo tackles with two assists. The Eagles will face off against Sumiton Christian (Class 2A, Region 5) in their second region matchup next Friday at Cold Springs.





Injunction (from Front)

W.C. Mann
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BIRMINGHAM – On Tuesday, Sept. 4, U.S. Federal District Judge Madeline Hughes Haikala issued a memorandum opinion and order granting a preliminary injunction on behalf of indigent defendants incarcerated in the Cullman County Detention Center who cannot afford the bail amounts assigned to them by the Cullman County Sheriff's Office (CCSO) or county judges. According to a copy of the order reviewed by The Tribune, the injunction will temporarily prohibit "the Cullman County Sheriff from detaining indigent defendants who cannot afford to post a property bond or a surety bond as a condition of pretrial release," while a civil rights case filed by Bradley Dewayne Hester against Sheriff Matt Gentry, Cullman Circuit Clerk Lisa McSwain, Cullman County District Court Magistrates Amy Black and John White and Cullman County District Judges Kim Chaney and Rusty Turner proceeds.

Hester was arrested on July 27, 2017 for misdemeanor possession of drug paraphernalia. He was assigned a $1,000 bond but claimed indigent status and inability to pay. Still in jail several days later, he filed the above-mentioned complaint that could allow him to join in an existing class action filed in March 2017 against Gentry, the State of Alabama and the 32nd Judicial Circuit (See www.cullmantribune.com/articles/2017/06/29/drug-trafficking-defendants-sue-county-officials-sheriff-responds), with the support of a battery of attorneys:

- Samuel Brooke and Micah West of the Southern Poverty Law Center in Montgomery
- Alec Karakatsanis and Katherine Hubbard of the Civil Rights Corps in Washington, DC
- Brandon Buskey and Andrea Woods of the American Civil Liberties Union (ACLU) Foundation Criminal Law Reform Project in New York
- Randall C. Marshall and Brock Boone of the ACLU Foundation of Alabama, Inc. in Montgomery

Background (from Judge Haikala's memorandum/order):

Mr. Hester filed his intervenor complaint against Cullman County Sheriff Matt Gentry, Circuit Clerk Lisa McSwain, Magistrate Amy Black, Magistrate Joan White, District Court Judge Kim Chaney, and District Court Judge Wells R. Turner III.

In his first claim for relief, citing the Fourteenth Amendment, Mr. Hester alleges that the defendants violate the "fundamental rights" of indigent criminal defendants arrested in Cullman County "by enforcing against them a post-arrest system of wealth-based detention" pursuant to which indigent defendants "are kept in jail because they cannot afford a monetary amount of bail."

In his second claim for relief, Mr. Hester alleges that the defendants do not provide counsel for bail hearings, give arrestees an adequate opportunity to testify or present evidence at bail hearings, apply a uniform evidentiary standard to determine whether a person should be detained prior to trial, or "require a [judicial] finding that no affordable financial or non-financial condition of release will ensure appearance or public safety before jailing pretrial arrestees on monetary bail amounts that they cannot afford.

Mr. Hester asserts that the defendants create de facto detention orders that apply to only indigent criminal defendants in Cullman County.

Mr. Hester seeks declaratory relief from the judicial defendants -- Circuit Clerk McSwain, Magistrate Black, Magistrate White, Judge Chaney, and Judge Turner and injunctive relief from Sheriff Gentry.

Judge Haikala's memorandum/order began:

Bradley Hester was arrested and jailed in Cullman County. He was, and others similarly situated are, detained in the Cullman County jail following arrest because they cannot afford to post a surety bond or a property bond as a condition of pretrial release. Mr. Hester asks the Court to preliminarily enjoin the Cullman County Sheriff from detaining indigent defendants who cannot afford to post a property bond or a surety bond as a condition of pretrial release. Mr. Hester argues that Cullman County's procedures for setting a secured bond as a condition of pretrial release are constitutionally flawed, and he argues that the way in which Cullman County implements those procedures is inequitable.

Later in the order, Haikala continued:

Under Alabama law, absent a capital murder charge, arrestees have a statutory right to bail. In Cullman County, bail initially is set as a condition of pretrial release for every arrestee. The staff of Cullman County's Sheriff's Office selects the initial bail amount for individuals jailed for warrantless probable cause arrests; magistrates select the initial bail amount in arrest warrants. Because most of the arrests in Cullman County are warrantless arrests, the Sheriff's Office sets most of the initial bail amounts in the county. Both the sheriff and the magistrates use a bail schedule to determine the bail amount. On an average day, there are ten arrests in Cullman County, and six of those arrestees are immediately bail eligible.

In a two-part series in 2017, The Cullman Tribune explained how the Cullman County Sheriff's Office, magistrates and judges use a bond schedule established by the State to determine bail amounts. See more at www.cullmantribune.com/articles/2017/02/13/bail-bonds-part-1-letter-law and www.cullmantribune.com/articles/2017/02/15/bail-bonds-part-2-law-enforcement-perspective.

Haikala's order acknowledged, "Sheriff Gentry testified that he has two primary interests in the pretrial process: getting defendants to appear for court proceedings and ensuring the safety of the community. Those interests are consistent with Alabama law."

On March 26, 2018, Cullman's circuit and district judges modified their bail policies. Prior to that time, according to the order:

Cullman County magistrates conducted initial appearances for arrestees who could not afford to post bond. The initial appearance was conducted by video conference, and the state did not offer counsel for the appearance. At the initial appearances, the magistrates informed the arrestees of their bail amount but did not evaluate the bail amount to determine whether the bail amount exceeded the amount necessary to satisfy the statutory purposes of bail. Arrestees who could not afford to post a secured bond had to remain in jail and file a motion to reconsider their bail amount. Typically, a district judge would not consider such a motion until several weeks after arrest.

Even after revisions made in March, including cutting the standard bail amount for some drug offenses in half (See www.cullmantribune.com/articles/2018/04/03/cullman-judges-update-bail-bond-schedule-drug-trafficking-manufacturing-bond), Haikala's order claims, ". . . officials in Cullman County do not always comply with the written requirements in the new Standing Order" and "although the Cullman County Circuit Court has revised its written criminal pretrial procedures, the record demonstrates that the defendants (**Sheriff Matt Gentry, Cullman Circuit Clerk Lisa McSwain, Cullman County District Court Magistrates Amy Black and John White and Cullman County District Judges Kim Chaney and Rusty Turner**) do not fully comply with the new written procedures. And even if the defendants did comply, as discussed in greater detail below, the new procedures, though an improvement over the old, still are constitutionally deficient."

As explained in the order, to receive a preliminary injunction, the plaintiff (Hester in this case) must show:

- a substantial likelihood of success in the larger case
- that the plaintiff (in this class action case, all Cullman County arrestees who are held due to inability to post bond) will suffer irreparable injury unless the injunction is issued
- that the threatened injury to the plaintiff outweighs possible harm that the injunction may cause the opposing party
- that the injunction would serve and not disserve the public interest

Haikala then stated, "Mr. Hester has satisfied all four elements."

An explanation of the satisfaction of the four elements took up much space in the 64-page order (which can be found at www.CullmanTribune.com). A few representative statements follow here.

Likelihood of success

As to the first element, according to the order, "Mr. Hester contends that Cullman County's bail system cannot withstand constitutional scrutiny because it creates one standard of pretrial release for wealthy defendants and another for indigent defendants. The Court agrees."

Injury to indigent arrestees

As to the second element, the order stated that "The Supreme Court has recognized that the 'time spent in jail awaiting trial has a detrimental impact on the individual. It often means loss of a job; it disrupts family life; and it enforces idleness.' Barker v. Wingo, 407 U.S. 514, 532 (1972). Imprisonment hinders a defendant's ability to prepare her defense, forces her to live 'under a cloud of anxiety, suspicion, and often hostility,' and is 'simply dead time' that the defendant can never get back. Id. at 532-33. The evidence in this case is consistent with the Supreme Court's observations in Barker. Mr. Hester's evidence demonstrates that pretrial detention for three days or less negatively influences a person's employment, financial circumstances, housing, and the wellbeing of dependent family members. These detrimental impacts are exacerbated when pretrial incarceration exceeds three days."

Injury to the sheriff and other officials

Haikala wrote, "The threatened harms to the putative class outweigh the harms the preliminary injunction may cause to the defendants. The defendants argue that no alternative systems are workable in Cullman County. The defendants contend that detaining every arrestee until an initial appearance would put considerable strain on the county's resources. Judge Turner stated that the circuit court's resources already are taxed to handle the 72-hour initial appearances, the county has no government-funded pretrial services staff, and the county needs one more judge just to keep up with the circuit court's current case load. According to Sheriff Gentry, funding for the sheriff's department has not increased since 2009.

"But alternative pretrial detention policies are cost effective. Three options are readily available to Cullman County at little or no cost. First, Cullman County could release all defendants on unsecured bond. In a case in which a defendant may pose a significant flight risk or a danger to the community, a judge could hold an initial hearing within 48 hours of arrest and, if necessary based on the evidence collected at the hearing, impose additional conditions for release such as a court-appointed third-party custodian or a requirement that the defendant periodically call one of the sheriff's court liaisons. The defendants acknowledge that an unsecured bail schedule would serve their interests."

The order acknowledged that "The Sheriff's Office would detain all high-risk arrestees, wealthy and indigent alike, for an initial appearance at which a judge would assess the necessary conditions for pretrial release."

Serving the public interest

According to the order, "A preliminary injunction would prevent continuing deprivation of core constitutional rights by prohibiting detention based solely on predetermined secured money bail amounts without sufficient substantive findings and adequate procedural protections. It would not impair the efficacy of the justice system or endanger the public. Therefore, a preliminary injunction would not disserve the public interest."

In her conclusion, Haikala wrote, "For the reasons stated above, Mr. Hester has demonstrated that he is entitled to a preliminary injunction consistent with the analysis in this opinion. The Court will set a telephone conference to discuss the terms of a preliminary injunction."

The Civil Rights Corps, one of the organizations representing Hester, has posted Hester's original complaint and Haikala's memorandum/order online. Hester's complaint can be viewed at https://cdn.buttercms.com/rvenrh-Q3WTpngPG8uq4Q. Haikala's order can be viewed at https://cdn.buttercms.com/HxLtFp5RyO8Klk-N7bfCU.

Obituary Announcements: Sep. 8 - 9

Mr. Juan Favila, 52, of Fairview passed away on Thursday, September 6, 2018. Arrangements are incomplete at this time and will be announce at a later time by Cullman Funeral Home.

Memorial Service for Marvin Pritchard, age 63 of Cullman, will be at 4 p.m. on Saturday, September 8, 2018 at St. Andrews United Methodist Church. Mr. Pritchard passed away on Thursday, August 23, 2018. He was born February 9, 1955 to James and Frances Pritchard. Cullman Heritage Funeral Home is assisting with arrangements. He is preceded in death by his parents. Survivors include his wife, Virginia Pritchard, children; Marvin Brent (Christy) Pritchard and Mary Paige (Jeff) Hall, grandchildren; Connor Combs, Anna-Claire Pritchard, Jenna Pritchard, Bromleigh Hall, and Brady Hall, sister, Pam Rogers, and a host of family and friends. Visitation will be from 2 p.m. until 4 p.m. on Saturday, September 8, 2018 at St. Andrews United Methodist Church.

Mr. Roger D. Calvert, 71, of Crane Hill passed away on Friday, September 7, 2018 at St. Vincent's Hospital. Services will be announced at a later date by Cullman Funeral Home. He was born December 24, 1946 to Conard and Hertilene Calvert. He is survived by brothers, Lawrence Calvert and Bruce Calvert and sister, Benita Mosley.

Paula Bledsoe-Bolte, 52 of Cullman, passed away on Saturday, September 1, 2018. She is survived by her husband, Billy Bolte; daughter, Katrina (Robert) Matanane; sons: Keith (Lydia) Bledsoe, Josh Bledsoe and Justin Bledsoe; mother, Janie Margaret Gray; grandchildren: Alexia Bennefield, Eli Bennefield, Kevin Davis, Ava Matanane, Zoei Bledsoe, Silas Bledsoe and Landon Bledsoe and brothers: Charles Timothy Hartness and Richard Gray, Jr. The Celebration of Life Memorial Service will be at Moss Service Funeral Home on Saturday, September 8, 2018 at 3 p.m. The family will receive friends beginning at 2 p.m. until service time.

Mrs. Gracie Lee May, 97, passed away Friday September 7, 2018 in Cullman, Alabama. She was born November 8, 1920 to Carlos Raymond Caffin and Martha Leona Mayo. Services will be Sunday September 9, 2018, at 2 p.m. Visitation starting at 1 p.m. in the Hanceville Funeral Home chapel, with interment following in Hopewell cemetery.

Linda Jane Phillips, 68 of Cullman, passed away Thursday, September 6, 2018. She is survived by her husband, J.W. Phillips; daughter, Tanya Phillips; granddaughter, Angelina Phillips and a host of nieces, nephews and other family members. The Celebration of Mrs. Phillips' life will be Sunday, September 9, 2018 at 2 p.m. at Moss Service Funeral Home Chapel with burial to follow at Fairview Methodist Cemetery. Moss Service Funeral Home directing.

Free Obituary Listings

Have your funeral home contact us

Email: robin@cullmansense.com • Fax: 256-739-4422

Complete obituaries may be found free of charge at CullmanTribune.com/obituaries.

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FUNNY THINGS FROM YESTERDAY

Things a husband should never forget

Robert N. Tidwell, Sr.
Tribune Contributor



As a person who has been married much longer than I was single, I feel like I now have the authority to speak about things a husband should never forget.

A husband should never forget an anniversary. You must always remember the time you had your first date. Now this is really important before you get married and for the first few years of marriage.

The next anniversary you should never forget is the time you proposed. I remember well the night Rudene and her mother asked me if I didn't think it was time for me to marry and settle down. I'm just kidding, Mama Jean, I'm the one who proposed and you reluctantly consented.

The last anniversary you should never, never forget is your wedding anniversary. I took special precautions about not forgetting this date- we married on Christmas Day. This way I can always say, "This gift is meant for both your Christmas and your anniversary. People who think ahead come out better.

Mother's Day is another special day a husband should never forget. Not your own mother, but your wife as being a mother. I think the celebration has somehow gotten changed from the original idea. Originally, I think it meant a person's one and only mother, but this idea doesn't apply any more. I forgot my wife's first Mother's Day, but let me hasten to say, I have never forgotten one since.

Another day you should never forget is your wife's birthday. Always remember the month and the day but after a while it is good to forget the year. This is when you have to go to anniversaries of her 39th year.

Over the years a marriage mellows, and a wife doesn't seem to get so upset if you happen to forget a special occasion now and then. all this being said, there is still one thing she remembers and says, "Don't forget to put the garbage out."

Tribune Files from Yesteryear

From The Files Of 1950

Funeral services were held, on Friday, at Hopewell for Mrs. Ruby Dial McNeal, who died in Birmingham, on November 16th.

Reverend J. Gilbert Speake conducted the services and Mutual Service directed interment, in the Hopewell Cemetery.

Pallbearers were Louis Wamp, Kermit Gorham, Fred Meadows, Martine Wamp, Lawrence Duffey and Claude Edwards.

Surviving are her husband, T.H. McNeal; two sons, D.R. McNeal and Lieutenant Thomas H. McNeal and two daughters, Mrs. O.E. Brown and Mrs. H.V. West.

Newcomers At Hospital

Connie Vanetia, daughter of Mr. and Mrs. J.H. Pack, City, born on November 14th; Myron Kent, son of Mr. and Mrs. J.R. Anderson, Arkadelphia, born on November 15th; Brenda Sue, daughter of Mr. and Mrs. H.L. Daniel, Route Three, Cullman, born on November 16th; Nancy Carol, daughter of Mr. and Mrs. H.H. Ryan, City, born on November 16th. Fern, daughter of Mr. and Mrs. W.B. Marsh, Garden City, born on November 16th; Odis Wayne, son of Mr. and Mrs. Hubert Coots, City, born on November 16th; Darrel Eugene, son of Mr. and Mrs. J.C. Calvert, Route One, Crane Hill, born on November 17th; Kenneth Donald, son of Mr. and Mrs. F.E. Pearson, Route Ten, Cullman, born on November 17th; Connie Rose, daughter of Mr. and Mrs. R.J. Burgess, Lacon, born on November 17th; Karen Lee, daughter of Mr. and Mrs. A.H. Teague, Falkville, born on November 18th; Linda LaVern, daughter of Mr. and Mrs. H.L. Taylor, Steppville, born on November 19th; Sandra Kay, daughter of Mr. and Mrs. Kenneth Coppock, Route Five, Cullman, born on November 20th; Iva Nell, daughter of Mr. and Mrs. Hobert Thomas, Steppville, born on November 20th; Jane, daughter of Mr. and Mrs. J.D. Wisner, Route Two, Holly Pond, born on November 21st and Deborah Dean, daughter of Mr. and Mrs. C.I. Montgomery, City, born on November 21st.

With football season over, basketball now takes the spotlight at Cullman High School.

Wendell Childs and Elwin Robinson share the stage to carry the offensive load. Both are rangy lads (Childs 6'1"), (Robinson 6'2") and are counted on highly this season Bob Dahlke (6'1"), Asa Blalock (5'10"), John Edwards (6'), Tim Adams (6') and Bill Knight (6'2") make up the remainder of returning monogram wearers.

Several newcomers have drifted into Cullman High School to strengthen the Cats. Dwight Tucker and Johnny Tucker, two sophomores are the most likely to see action from the up and coming group, while Neil Glasscock, Jerry Brandon and Jim Edwards seem to have the inside chance to make the varsity.

Two Cullman people were seriously injured and several others received lesser injury in a highway crash on Saturday morning.

Mrs. James F. Ratliff remains in a Birmingham hospital, with a broken hip and a broken ankle. Mr. Ratliff is in the Cullman Hospital suffering with four broken ribs and serious bruises.

Others with the Ratliffs at the time of the accident were their daughters, Margo and Sandra, who were not injured and two daughters of Mr. and Mrs. Harry Johnson. Amanda Johnson, 16, received throat lacerations and was treated at the Cullman Hospital. She was able to be removed home, at the first of the week. Barbara Johnson was slightly injured.

BILLY BOB'S STORIES AND STUFF

When we remembered when (Part 2)

Bill King
Tribune Contributor



As we grow older, we enjoy playing "Remember when." Well, you've never seen a five year old asking, "Do you remember when we were four-and-a-half, how we...?" I asked some of my friends to share some of their "Remember whens," and last week I wrote about them. There were too many to get them all in, so here are a few more.

Remember when you could take in a movie, with a large popcorn and Coke, and still make the car payment that month? Remember when movies didn't have ratings and you could take the kids to see most of them - without having to get counseling for them afterwards? Remember when movies had words other than cursing? Mama would have sterilized my ears for listening to the language in modern movies! Remember when men who cursed did not do so in the presence of a lady, or if one slipped out, he apologized?

Remember when we had drive-in theatres? Remember when you slipped into the drive-in in the trunk of a car? I'm not confessing, or denying, I'm just asking. Remember when theatres only had one screen and, therefore, only showed one movie at a time, unless they had a double feature. A big hit might run for a month or longer. Remember when you saw the same movie every Saturday night for a month?

Remember when you made phone calls by picking up the receiver and dialing a rotary dial on the phone base. Even further back, remember when you picked up the receiver, and an operator said, "What number, please?" What do you mean, "What's an operator?" Remember pay-phones and phone booths? Remember when there were no area codes (or zip codes either, for that matter), and phone numbers were shorter than seven digits? In my hometown, we only had to dial five digits and if the last four started with an even number, we could dial those four.

Our local calls were limited to so many minutes and then cut off. If you were talking to your sweetheart, you had to keep calling them back. Remember when girls didn't call boys? They also didn't ask boys out on dates.

Remember party lines? Each person in the party had their own ring. If someone in your party liked to compare their latest ailments with their friend, it might take two months to get on the line.

Of course, if you had an emergency you could say so, and they might clear the line – if your emergency was serious! There were not as many secrets back then! Remember when everyone had land lines, because there were no cell phones, and you only had one phone in the house.

Back then the only way we could take our phone across the room was to have a cord that was as long as the conversation between those two gabbers on the party line! Remember car phones and the first cell phones were about the size of the U.S.S. Alabama? Remember when families ate dinner together, at the table, and they talked to one another, instead of staring at their cell phones or devices?

Playing "Remember when," is fun, but sometimes we don't always remember things as they actually were.

We may embellish and romanticize things to make them better. There are some things, and certainly some ways, I wish we could return to. There are others that I'm glad are gone.

I still have a typewriter, somewhere, but I'm glad I didn't have to write this column on it. I am thankful that God never changes. He is the same yesterday, today, and forever.

Bill King can be reached at bkpreach@yahoo.com or 334-745-0588 (office) or 334-728-5514 (cell).

Poet's Corner

Since You've Been Gone

By: Jennifer Riggs
Huntsville AL

Since, you've been gone
the clock would agree,
time's flying in slow motion
so it seems.
Hours become days
months become years
but minute by minute
I'm aware you're not here.

How often I catch myself
thinking of you,
oblivious to time's passage
til reality comes in view.
Days gone by,
times we shared,
the sound of your voice,
missing you like this.

When I do things you loved
your presence seems near,
a slight bit of relief
in these things you held dear.
Gazing on nature,
Christmas lights glow,
white sandy beaches,
watching kids grow.

Life does go on,
time diminishes pain,
missing you so, lingers,
treasured memories are grace.
Tears come more softly
as new horizons we frame,
always picturing your smile
since you've gone away.

Legal Notice

Notice is hereby given to all owners, secured parties and lienholders of the following described motor vehicles, which I have a right to sell at public auction, to the highest bidder, in accordance with the State of Alabama abandoned motor vehicle law, Statues, Chapter 13, Section 1-8, Title 32 and Alabama Law Act Number 83-494-S-80, as per Legislative Act 2015-470:

1985 Dodge D150, Vin.#1B7FD14T1FS600616.
1994 Dodge Ram Van, Vin.#2B6HB21Y6RK553667.
1999 Dodge Dakota, Vin.#1B7FL26X1XS298073.
2006 Suzuki C50, Vin.#JS1VS55A262105998.
1997 Nissan Truck, Vin.#1N6SD11YXVC372018.

These vehicles will be sold on Friday, October 19, 2018, at 9:00 a.m. for towing/storage fees if not claimed. Located at Hammock Auto Sales, 17 County Road 406, Cullman, Alabama 35057, 256-775-3754.

Notice of Self Storage Sale

Please take notice IN-N-OUT Self Storage located at 106 13th St., Cullman, AL 35055 intends to hold a sale to sell the property stored at the facility by the below occupants who are in default at an auction. The sale will occur or otherwise disposed as an online auction via www.storageauctions.com on 9/25/2018 at 1:00pm. Unless stated otherwise the description of the contents are household goods and furnishings.

Beverly Banks, **unit #117**: 57A County Road 1379, Vinemont, Alabama 35179.

Katherine Thomas, **unit #517**: 608 10th Ave Southeast, Cullman, Alabama 35055.

Tony Pintaro/Sunrise Construction **unit #536**: 1612 2nd Avenue Southwest, Suite 184, Cullman, Alabama 35055.

This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: The Estate of

STEVEN DEWAIN PARRIS, CASE NO.: PC2018-282

Deceased.

NOTICE TO CREDITORS

TAKE NOTICE that Letters of Administration have been granted to Mike Cone as Administrator of the Estate of Steven Dewain Parris, deceased, on the 30th day of August, 2018 by the Honorable Tammy Brown, Judge of Probate, and that all persons having claims against said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

By: Mike Cone
Personal Representative of the Estate of
Steven Dewain Parris

Rachel Eidson
GRIFFITH, LOWRY & MEHERG, LLC
Attorney for Personal Representative
409 1st Avenue SW
Cullman, AL 35055
256-734-0458
256-775-9232
rachel@griffithlowry.com

TO: The Publisher of The Cullman Tribune:

Please publish the foregoing notice once a week for three consecutive weeks and send an affidavit of publication.

Tammy Brown
Judge of Probate

IN THE PROBATE COURT OF CULLMAN COUNTY

STATE OF ALABAMA
CULLMAN COUNTY **CASE NO: AD-2018-088**

IN RE: THE MATTER OF ADOPTION OF D.J.S.
D.O.B. 02-06-2017
A MINOR CHILD.

NOTICE OF PETITION FOR ADOPTION

TO: BRANDON CLEMONS, Alleged Father, whereabouts unknown
ANY OTHER KNOWN OR UNKNOWN PERSON, WHO MIGHT BE THE BIOLOGICAL FATHER OF THE ABOVE MINOR CHILD

A PETITION FOR ADOPTION WAS FILED IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA BY TRILBA SUE SMITH AND DOUGLAS DEAN SMITH, PETITIONER, BIOLOGICAL MOTHER, CIERA SHYAN SMITH. IF YOU SHOULD CONTEST THIS ADOPTION, YOU MUST FILE A WRITTEN RESPONSE WITHIN THIRTY (30) DAYS FROM THE DATE OF THE LAST PUBLICATION. THE RESPONSE MUST BE FILED WITH COUNSEL FOR SAID PETITIONER, WHOSE NAME AND ADDRESS ARE SHOWN BELOW, AND WITH THE CLERK OF THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA, 500 2ND AVENUE SW, ROOM 101, CULLMAN, ALABAMA 35055.

DONE THIS 29th DAY OF August, 2018.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABMA

BEVERLY PASCHAL POSTON
Attorney for Petitioner
200 1ST Avenue S.E.
Cullman, AL 35055
256-739-3970



HOWARD COLE/THE CULLMAN TRIBUNE

Broncos come oh-so-close to Midfield, 36-30, in region opener

Hayden Hyatt
hayden@cullmantribune.com

HOLLY POND – The Holly Pond Broncos (Class 3A, Region 5) came back home Friday to host their most powerful opponent yet, coming up short against the Midfield Patriots (Class 3A, Region 5), 36-30.

Holly Pond started sluggish on offense, turning the ball over on downs and giving Midfield good field position. The Patriots took the advantage all the way to the end zone, scoring the first touchdown of the game with a conversion. As Holly Pond got the ball, they gained ground with Kyler Chaney handling most of the carries. However, Midfield held the Broncos back and, once getting the ball, began to drive all the way back for a second touchdown. After another conversion, Holly Pond got the ball but was unable to carry it far enough before the quarter ended. At the end of the first quarter, Midfield was up 16-0.

In the first three minutes of the second quarter, Holly Pond continued to struggle, giving up another punt. The Patriots then drove for yet another touchdown to make the game 22-0. When the ball went back to Holly Pond, the Broncos began to move the chains, scoring their first points of the game.

Midfield got the ball back and attempted to move it the way they had been doing, but Holly Pond blocked them entirely. After getting the ball back, Holly Pond took it all the way to the end zone with a conversion alongside. On the next Patriot possession, they lost a lot of yardage on two snaps that went over the quarterback's head, the second of which led to a turnover and another Bronco TD. This sudden rush from Holly Pond brought them back into the game.

At the half, the score stood at Midfield 22, Holly Pond 14.

Saints fans would appreciate the Broncos' nerve as they opened the third quarter with an onside kick that they recovered to start the half with the ball on the Patriots' 45. The strong running game picked up where it left off in the first half and carried Holly Pond into the end zone. A successful conversion tied the game 22-22.

Midfield's first series paused abruptly with the referee calling a lightning delay at 8:43. When play resumed at 9:20, the Patriots got off one play before having to punt. Holly Pond ended up with the ball on its 48. The Broncos drove down the field but stalled just short of the end zone, turning the ball over on downs inside the Midfield 1-yard line. The Patriots finished the quarter inside their own red zone, with the score still tied, 22-22.

The Patriots opened the fourth quarter strong but stalled short of the 50 and had to punt. The Broncos stampeded back with impressive running displays from Holly Pond running backs Jeremiah Holmes and Tyler Simmons in a touchdown drive that put Holly Pond up 30-22 after the conversion. After Midfield got the ball back, the Patriots hit a long pass to make it first-and-goal before tying things up 30-30.

The Broncos took the kickoff deep in their own territory and couldn't get things moving in time to avoid a punt. The punt, though, was a long one, leaving the Patriots to start on their own 26-yard line. Another long pass and run play, though, put them back in the red zone and another touchdown made the score 36-30. The Broncos' last drive stalled in their own territory with less than a minute to go and Holly Pond came up just short, 36-30.

Holly Pond travels to Hanceville (Class 3A Region 5) to take on the Bulldogs next week.

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