

B104
(Rev.
2/92)

ADVERSARY PROCEEDING COVER SHEET

(Instructions on Reverse)

ADVERSARY PROCEEDING NUMBER
(Court Use Only)

PLAINTIFFS

Lonnie L. Mixon
Chapter 7 Trustee

DEFENDANTS

Samuel Lett, individually; Samuel Lett, M.D. P.C.;
Charles L. Lett, M.D. P.C.; and Central Alabama OB-GYN
a/k/a Central Alabama Women's Clinic

ATTORNEYS (Firm Name, Address, and Telephone No.)

Jeffery J. Hartley
Helmsing Leach Herlong Newman & Rouse, P.C.
P.O. Box 2767, Mobile, AL 36652 (251) 432-5521

ATTORNEYS (If Known)

Collins Pettaway, Jr.; P.O. Box 1290, Selma, AL 36702
J.L. Chestnut; P.O. Box 1290, Selma, AL 36702

PARTY (Check one box only) 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 U.S. NOT A PARTY

CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)

Action to collect both prepetition and postpetition payments.

NATURE OF SUIT

(Check the one most appropriate box only.)

- | | | |
|---|---|--|
| <input type="checkbox"/> 454 To recover money or property | <input type="checkbox"/> 455 To revoke an order of confirmation of a Chap. 11, Chap. 12, or Chap. 13 Plan | <input type="checkbox"/> 456 To obtain a declaratory judgment relating to any of the foregoing of action |
| <input type="checkbox"/> 435 To determine validity, priority, or extent of a lien or other interest in property | <input type="checkbox"/> 426 To determine the dischargeability of a debt 11 U.S.C. § 523 | <input type="checkbox"/> 459 To determine a claim or cause of action removed to a bankruptcy court |
| <input type="checkbox"/> 458 To obtain approval for the sale of both the interest of the estate and of a co-owner in property | <input type="checkbox"/> 434 To obtain an injunction or other equitable relief | <input checked="" type="checkbox"/> 498 Other (specify) |
| <input type="checkbox"/> 424 To object to or to revoke a discharge 11 U.S.C. § 727 | <input type="checkbox"/> 457 To subordinate any allowed claim or interest except where such subordination is provided in a plan | |

ORIGIN OF PROCEEDINGS

(Check one box only.)

- 1 Original Proceeding 2 Removed Proceeding 4 Reinstated or Reopened 5 Transferred from Another Bankruptcy Court

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND

\$

OTHER RELIEF SOUGHT

Unknown moneterial amount

JURY DEMAND

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR The Lighthouse of Dallas County, Inc.

BANKRUPTCY CASE NO. 04-11805

DISTRICT IN WHICH CASE IS PENDING
Southern District of Alabama

DIVISIONAL OFFICE
Northern Division

NAME OF JUDGE
Margaret A. Mahoney

RELATED ADVERSARY PROCEEDING (IF ANY)

PLAINTIFF

DEFENDANT

ADVERSARY PROCEEDING NO.

DISTRICT

DIVISIONAL OFFICE

NAME OF JUDGE

FILING FEE

(Check one box only.)

- FEE ATTACHED FEE NOT REQUIRED FEE IS DEFERRED

DATE 06/08/04

PRINT NAME
Jeffery J. Hartley

SIGNATURE OF ATTORNEY (OR PLAINTIFF)
/s/Jeffery J. Hartley

B 104 Reverse
(Rev. 2/92)

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF ALABAMA**

In Re:)	
)	Case No. 04-11805-MAM
THE LIGHTHOUSE OF DALLAS)	
COUNTY, INC.)	
<hr/>		
)	
LONNIE L. MIXON, Trustee)	
)	AP No. _____
Plaintiff)	
v.)	
)	
SAMUEL LETT, an individual,)	
SAMUEL LETT, M.D. P.C.,)	
a Professional Corporation,)	
CHARLES L. LETT, M.D. P.C.,)	
a Professional Corporation,)	
CENTRAL ALABAMA OB-GYN,)	
a/k/a CENTRAL ALABAMA)	
WOMEN'S CLINIC,)	
Defendants)	

ADVERSARY PROCEEDING COMPLAINT

COMES NOW, Lonnie L. Mixon, Chapter 7 Trustee, (“Mixon”) and files this Adversary Complaint against the following: Samuel Lett, individually; Samuel Lett, M.D. P.C., as a Professional Corporation; Charles L. Lett, M.D. P.C., as a Professional Corporation; and Central Alabama Ob-Gyn a/k/a Central Alabama Women’s Clinic (referred to collectively as “Defendants”).

In support of this Adversary Complaint, Mixon alleges the following:

1. This Court has jurisdiction over the subject matter herein and the parties hereto pursuant to 28 U.S.C. § 1334, 11 U.S.C. § 361-63, 11 U.S.C. § 507 and 11 U.S.C. § 554 and the Order of reference, along with other related statutes and rules. This is a core proceeding as defined by 28 U.S.C. § 157(b)(2).

2. On or about March 25, 2004 The Lighthouse of Dallas County, Inc. (“Lighthouse”)

filed a petition for Bankruptcy Protection under Chapter 11 of Title 11 to the United States Code. On or about May 27, 2004 Lighthouse converted its case to one under Chapter 7 of Title 11 of the United States Code. Lonnie L. Mixon was appointed Trustee of the Debtor's Bankruptcy Estate and it is in this capacity that the above styled adversary proceeding has been filed.

3. Prior to the Lighthouse filing its Chapter 11, and according to the Schedules filed in this matter, the Defendants entered into rental agreements for use of the Good Samaritan Building in Selma, Alabama under which they are obligated to make monthly payments, due on the first of each month.

4. The Defendants occupy commercial space within the Good Samaritan Building.

5. The Defendants owe rent for several months. This past-due rent includes both prepetition and postpetition amounts.

6. Charles L. Lett, M.D. P.C., as a Professional Corporation owes rental payments for the post-petition months of April, May and June, 2004 as well as an undetermined prepetition sum.

7. Samuel Lett, individually, Samuel Lett M.D. P.C. or Central Alabama OBGYN a/k/a Central Alabama Women's Clinic owes an undetermined prepetition sum.

WHEREFORE, premises considered, Lonnie L. Mixon, as Chapter 7 Trustee, seeks to collect the appropriate amount of both prepetition and postpetition rental payments from the Defendants in addition to all other fees and associated costs that is just and appropriate.

Respectfully submitted this 8th day of June, 2004.



JEFFERY J. HARTLEY (HARTJ4885)
Counsel for Lonnie L. Mixon,
Chapter 7 Trustee

Of counsel:
HELMSING, LEACH, HERLONG,
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CERTIFICATE OF SERVICE

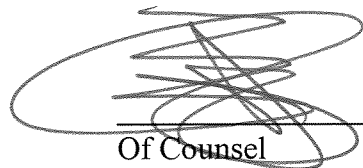
I hereby certify that on this ~~8th~~ day of June, 2004, I have served a copy of the foregoing pleading on the following, either electronically or by placing same in the U.S. Mail, postage fully prepaid and properly addressed:

Collins Pettaway, Jr., Esq.
P.O. Box 1290
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Chapter 7 Trustee
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Of Counsel