

CHARLES M. COACH, \* IN THE CIRCUIT COURT FOR  
 Plaintiff \* THE 28th JUDICIAL CIRCUIT  
 VS \* OF ALABAMA  
 PEGGY M. GLASS, \*  
 Defendant \* CASE NO. 9033  
 \*\*\*

C O M P L A I N T

COUNT ONE

Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages, for that heretofore on, to-wit, August 9, 1969, the Plaintiff's wife, ELSIE L. COACH, was riding as a passenger in an automobile being operated by the Defendant, and the Plaintiff's wife was present on said occasion in said automobile being operated by the Defendant, not in the status of a guest within the meaning of the Alabama Guest Statute, but as an invitee of the Defendant and upon the express or implied invitation of the Defendant on a mission related to the business of the Defendant, which afforded a substantial benefit to the Defendant in transporting the Plaintiff's wife in said automobile as aforesaid; and Plaintiff further avers that on said occasion the said automobile, while proceeding upon a public highway in Baldwin County, Alabama, on to-wit, U. S. Highway 90 at to-wit, one-half mile from Loxley, Alabama, collided with another motor vehicle, to-wit, a truck vehicle, which was on said occasion being operated by Wiley P. Brock and Plaintiff avers that as a proximate consequence of said collision the Plaintiff's wife, ELSIE L. COACH, suffered the following injuries: Her left leg was broken or fractured, resulting in permanent and painful disability; her right elbow was fractured; she received lacerations about her face & head; she received abrasions

about her right knee and leg; she was hospitalized for a period of time, to-wit, eleven (11) days; she was severely bruised and was made sick and sore for a long time; she has in the past suffered physical and mental pain and will so suffer in the future; she was internally injured and permanently injured.

And Plaintiff alleges that as a result of his wife's said injuries she was rendered unable to perform her usual and customary work and her usual and customary household duties and is still unable to do so as a result of her said injuries, and Plaintiff was caused to incur much expense in the nature of Doctors and hospital bills, medicines, nurses and other medical expenses for the treatment of his said wife in his efforts to heal and cure her said injuries and will continue to incur much expense of the same nature in the future; and he was caused to incur expense in the nature of household help as a result of his wife's inability to perform her usual and customary household duties; and as a result of his said wife's injuries he was caused to lose the service and consortium of his said wife and will continue to lose said services and consortium for a long period of time in the future.

Plaintiff avers that the Defendant, Peggy M. Glass, negligently caused or negligently allowed the automobile of which she was in charge or control as aforesaid to be in collision with the said truck vehicle as aforesaid, and the Plaintiff further avers that as a proximate consequence of said negligence of the Defendant, his wife was so injured and Plaintiff was caused to suffer all of his losses and damages hereinabove set forth, hence this suit.

COUNT TWO

Plaintiff claims of the Defendant the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages, for that heretofore on, to-wit, August 9, 1969, while Plaintiff's wife, ELSIE L. COACH, was riding in an automobile on a public highway in Baldwin County, Alabama on what is commonly known as U. S. Highway 90, at to-wit, one-half mile from Loxley, Alabama, which said automobile was being then and there operated by the Defendant, and while Plaintiff's wife, ELSIE L. COACH, was riding in said automobile as a passenger, the Defendant negligently caused or negligently allowed said motor vehicle to collide with another motor vehicle, to-wit, a truck vehicle, which was on said occasion being operated by Wiley P. Brock, and Plaintiff avers that as a proximate consequence of said collision the Plaintiff's wife suffered the following injuries and damages: Her left leg was broken or fractured, resulting in permanent and painful disability; her right elbow was fractured, she received lacerations about her face & head; she received abrasions about her right knee and leg; she was hospitalized for a period of time, to-wit, eleven (11) days; she was severely bruised and was made sick and sore for a long time; she has in the past suffered physical and mental pain and will so suffer in the future; she was internally injured and permanently injured.

And Plaintiff alleges that as a result of his wife's said injuries she was rendered unable to perform her usual and customary work and her usual and customary household duties and is still unable to do so as a result of her said injuries, and Plaintiff was caused to incur much expense in the nature of Doctors and hospital bills, medicines, nurses and other medical expenses for

the treatment of his said wife in his efforts to heal and cure her said injuries and will continue to incur much expense of the same nature in the future; and he was caused to incur expense in the nature of household help as a result of his wife's inability to perform her usual and customary household duties; and as a result of his said wife's injuries he was caused to lose the service and consortium of his said wife and will continue to lose said services and consortium for a long period of time in the future.

Plaintiff avers that the Defendant, Peggy M. Glass, negligently caused or negligently allowed the automobile of which she was in charge or control as aforesaid to be in collision with the said truck vehicle as aforesaid, and the Plaintiff further avers that as a proximate consequence of said negligence of the Defendant, his wife was so injured and Plaintiff was caused to suffer all of his losses and damages hereinabove set forth, hence this suit.

#### COUNT THREE

Plaintiff claims of the Defendant, the sum of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS, as damages, for that heretofore on, to-wit, August 9, 1969, while Plaintiff's wife, ELSIE L. COACH, was riding in an automobile on a public highway in Baldwin County, Alabama on what is commonly known as U. S. Highway 90 at or near Loxley, Alabama which said automobile was being then and there operated by the Defendant and while Plaintiff's wife, ELSIE L. COACH, was riding in said automobile at the invitation of the Defendant, said Defendant wantonly injured Plaintiff's wife by wantonly operating said motor vehicle on the said public highway in Baldwin County, Alabama, commonly known as U. S. Highway 90, at or near Loxley, Alabama so as to wantonly cause or allow the

said automobile to collide with another motor vehicle, to-wit, a truck vehicle, which was on said occasion being operated by Wiley P. Brock, and Plaintiff avers that as a proximate consequence of said collision the Plaintiff's wife, ELSIE L. COACH, suffered the following injuries and damages: Her left leg was broken or fractured, resulting in permanent and painful disability; her right elbow was fractured; she received lacerations about her face & head; she received abrasions about her right knee and leg; she was hospitalized for a period of time, to-wit, eleven (11) days; she was severely bruised and was made sick and sore for a long time; she has in the past suffered physical and mental pain and will so suffer in the future; she was internally injured and permanently injured.

And Plaintiff alleges that as a result of his wife's said injuries she was rendered unable to perform her usual and customary work and her usual and customary household duties and is still unable to do so as a result of her said injuries, and Plaintiff was caused to incur much expense in the nature of Doctors and hospital bills, medicines, nurses and other medical expense for the treatment of his said wife in his efforts to heal and cure her said injuries and will continue to incur much expense of the same nature in the future; and he was caused to incur expense in the nature of household expense as a result of his wife's inability to perform her usual and customary household duties; and as a result of his said wife's injuries he was caused to lose the services and consortium of his said wife and will continue to lose said services and consortium for a long period of time in the future,

Plaintiff avers that his wife was so injured and

he was caused to suffer all of his said losses and damages as a proximate consequence of the wanton conduct of the Defendant in that said Defendant wantonly injured Plaintiff's wife by wantonly causing said automobile so controlled or operated by her at the time and place aforesaid to collide with the truck vehicle being operated by her at the time and place aforesaid to collide with the truck vehicle being operated by Wiley P. Brock at the time and place aforesaid, hence this suit.



W. BORDEN STRICKLAND  
Attorney for Plaintiff  
201 N. Conception Street  
Mobile, Alabama

Plaintiff demands a trial be jury.



W. BORDEN STRICKLAND  
Attorney for Plaintiff

Defendant may be served at:

Peggy M. Glass  
Loxley, Alabama

FILED

DEC 8 1969

ALICE J. DICK CLERK  
REGISTER

|                   |   |                         |
|-------------------|---|-------------------------|
| CHARLES M. COACH, | X |                         |
|                   | X | IN THE CIRCUIT COURT OF |
| Plaintiff,        | X |                         |
|                   | X |                         |
| vs.               | X | BALDWIN COUNTY, ALABAMA |
|                   | X |                         |
| PEGGY M. GLASS,   | X | AT LAW NO: 9033         |
|                   | X |                         |
| Defendant.        | X |                         |

DEMURRER:

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and each and every count thereof, separately and severally, and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
3. That the place where the accident occurred is not sufficiently set out in either Count of the Complaint.
4. The allegation in each Count of the Complaint as to why the Plaintiff's wife was in the automobile which was being driven by the Defendant is but a conclusion of the pleader and does not state sufficient facts as a matter of law to show that the Plaintiff's wife was not a guest at the time of the accident.
5. That said Count fails to state the mission related to the business of the Defendant which removed the Plaintiff's wife from being a guest in the automobile.
6. That such Count fails to allege in what way the Defendant benefited from transporting the wife of the Plaintiff in her automobile.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 29 day of Nov, 1969.

*[Signature]*

*[Signature]*  
Attorneys for Defendant

CHARLES M. COACH,

Plaintiff,

vs.

PEGGY M. GLASS,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 9033

\* \* \* \* \*

DEMURRER

**FILED**

\* \* \* \* \*

DEC 29 1969

**ALICE J. DUCK** CLERK  
REGISTER



CHARLES M. COACH,           \*     IN THE CIRCUIT COURT FOR  
                                   \*     \*  
                                   \*     THE 28th JUDICIAL CIRCUIT  
                                   \*     \*  
 VS                               \*     OF ALABAMA  
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COUNT THREE

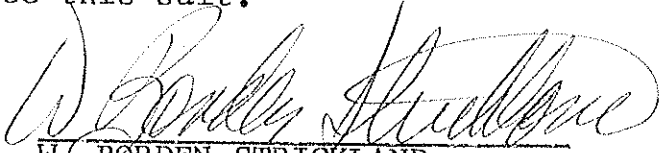
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W. BORDEN STRICKLAND  
Attorney for Plaintiff  
201 N. Conception Street  
Mobile, Alabama

Plaintiff demands a trial be jury.



W. BORDEN STRICKLAND  
Attorney for Plaintiff

Defendant may be served at:

Peggy M. Glass  
Loxley, Alabama

**FILED**

DEC 8 1969

ALICE J. DUCK CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 9033

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ..... PEGGY M. GLASS .....

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint  
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

..... PEGGY M. GLASS ....., Defendant.....

by ..... CHARLES M. COACH .....

..... Plaintiff.....

Witness my hand this..... 8th ..... day of ..... December ..... 19. 69

*Alice J. Black* Clerk

24 12-11-69

No. 9033 Page

STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

CHARLES M. COACH

Plaintiffs

vs.

PEGGY M. GLASS

Defendants

SUMMONS AND COMPLAINT

Filed December 8, 19 69

Alice J. Duck Clerk

W. Borden Strickland  
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

*Lopley, Ala.*

Received In Office

*12/8/69* 19*69*

*Taylor Wilkins* Sheriff

I have executed this summons

this *12-11* 19*69*

by leaving a copy with

*Peggy M. Glass*

Sheriff's Office *40* miles

Ten Cents per mile Total *4.00*

TAYLOR WILKINS, Sheriff

BY *B. Brown*  
DEPUTY SHERIFF

*Taylor Wilkins* Sheriff

*H. Brown* Deputy Sheriff

*40 miles to  
Lopley*