

DIANE GRUBBS, a minor,  
by her father, J. E. Grubbs,

Plaintiff,

vs.

LEE CHARLES SOUDERS,

Defendant.

Y

Y

Y

Y

Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 5269

DEMURRER

Comes now the Defendant in the above styled cause, by his attorneys, and demurs to the complaint filed against him and assigns the following separate and several ground in support thereof:

1. The complaint fails to state a cause of action.
2. The complaint fails to allege with sufficient certainty the place where the alleged accident occurred.
3. The complaint fails to allege that the Plaintiff's damages were the proximate result of any negligence of the defendant.

CHASON & STONE

By:

*John Paul Chason*  
Attorneys for Defendant

*Filed*  
*9-29-62*  
*Amy J. Luck*  
*clerk*

5269

DIANE GRUBBS, a minor, by her  
father, J. E. Grubbs,

vs.

LEE CHARLES SOUDERS

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW CASE NO. 5269

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DEMURRER

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CHASON & STONE  
ATTORNEYS AT LAW  
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA }  
~~PRISONERS~~ COUNTY }  
 BALDWIN

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Lee Charles Souders, Box 25, Fairhope, Alabama,

to appear before the Circuit Court of Baldwin County, Alabama, at the place of holding the same and plead, answer or demur within thirty days from service hereof to the complaint of Diane Grubbs, a minor, by her father, J. E. Grubbs, hereto attached.

Witness, my hand this 31 day of August 1962

W. J. Luck Clerk.

IF THE DEFENDANT FAILS TO APPEAR AND PLEAD, ANSWER OR DEMUR WITHIN THIRTY DAYS AFTER SERVICE THE PLAINTIFF MAY TAKE JUDGMENT BY DEFAULT.

### COMPLAINT

DIANE GRUBBS, a minor, by her  
Father, J. E. Grubbs,

Plaintiff

vs.

LEE CHARLES SOUDERS,

Defendant

IN THE CIRCUIT COURT OF ~~PRISONERS~~ <sup>BALDWIN</sup>  
 COUNTY, ALABAMA  
 AT LAW:

Case No. 5769

### COUNT ONE

The Plaintiff claims of the Defendant the sum of \$10,000.00 as damages for that heretofore on or about, to-wit: July 15, 1962, while plaintiff was riding as a guest in an automobile truck along and upon a public road in ~~COUNT 1~~ <sup>COUNT 1</sup> Shores, Baldwin County, Alabama, namely: Alabama Highway 59, at or near its intersection with 23rd Avenue, where she had a right to be, the defendant negligently drove an automobile into, over, upon or against the said automobile truck in which plaintiff was riding as aforesaid, and as a direct and proximate consequence of said negligence aforesaid, plaintiff was injured and damaged as follows, to-wit: she was made sick, sore and lame; her back, neck, head, chest, ribs, arms, legs, spine, shoulders and abdomen were strained and sprained and made sore and painful; her neck was strained and the muscles and tendons therein were strained and made sore and stiff and painful; she suffered a whiplash injury to her neck and back and spine; she was permanently injured; she suffered great physical pain and mental anguish; she was treated at the hospital; and her injuries required the examination and treatment of a doctor; all to her great damage in the sum aforesaid; hence this suit.

### COUNT 2.

James H. McGuire  
 Attorneys for Plaintiff  
 P.O. BOX 146 Tuscaloosa, Ala.

A trial by jury is demanded in this cause.

8-4-8-31-62

**FILED**

AUG 31 1962

ADAMS & SONS

James H. McGuire  
 Plaintiff's Attorney

Received 31 day of Aug 1962  
and on 31<sup>st</sup> day of Aug 1962  
I served a copy of the within etc  
on Lee Charles Souders

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By F. Lopez D. S.

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY Libert  
DEPUTY SHERIFF

CASE NO. 5269

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

DIANE GRUBBS, A MINOR, BY  
HER FATHER, J. E. GRUBBS,

PLAINTIFF

VS.

LEE CHARLES SOUDERS,

DEFENDANT.

Please serve defendant at:

Box 25,  
Fairhope, Alabama.

E. M. FORD, JR.  
JACK H. McGUIRE  
2600 7TH ST., P. O. BOX 148  
TUSCALOOSA, ALA.  
ATTORNEYS FOR PLAINTIFF