

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

P.O. Box 298

WHITEHALL 3-3601

November 27, 1962

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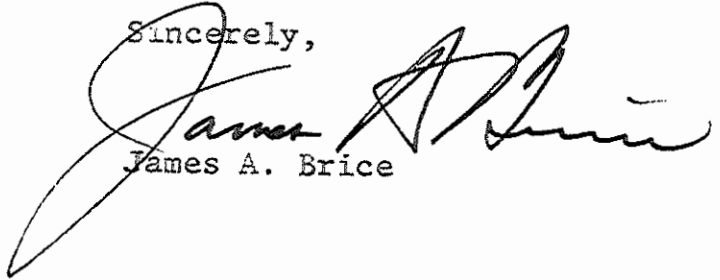
Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Andy Miceli
Vs: Baldwin Mutual Insurance Company,
Inc., Workmen's Compensation

Dear Mrs. Duck:

Kindly have the Superintendant of Insurance served
in the above case.

Sincerely,


James A. Brice

JAB:j
Enclosure

cc/with copy of petition
to: Hon. C. G. Chason
Foley, Alabama

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

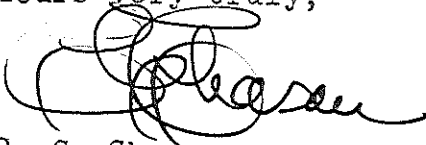
December 29, 1962

Mrs. Alice Duck
Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is demurrer in the case of
Andy Miceli vs Baldwin Mutual Insurance Company, a
copy of which has this day been mailed to the attorney
for the Plaintiff.

Yours very truly,



C. G. Chason

CGC:dc

cc: Hon. James A. Brice
Foley, Alabama

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

DEMURER

Comes the Defendant in the above styled cause and demurs to the summons and complaint heretofore filed therein and to each and every count thereof, separately and severally, and as grounds for demurrer sets out separately and severally the following:

1. The circumstances relating to the employment at the time of alleged injury are not set out with sufficient certainty.
2. The place and time of the alleged injury is not set out with sufficient certainty.
3. The nature of the injury alleged is not set out with sufficient certainty.
4. There is no allegation that the statutory form of notice was given by the Plaintiff to the Defendant.
5. That there is no allegation on the part of the Plaintiff as to the length or extent of disability.
6. That the Plaintiff alleges that he was inspecting a building away from the home office of the Defendant, but does not allege the name of the owner of the building being inspected, its street address, nor the time of the alleged injury.

Attorney for Defendant

Defendant requests trial by jury as allowed in causes of this kind.

FILED

DEC 21 1964

DATE 1 DUE, CLERK REGISTER

ANDY MICELI

PLAINTIFF

VS

BALDWIN MUTUAL INSURANCE COMPANY,
INC.

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA:

PETITION

Plaintiff respectfully shows unto your Honor as follows:

1. That he was on November 28, 1961 an adult resident of Gulf Shores, Alabama, and was employed by the defendant, a corporation organized and having its principal place of business in Baldwin County, Alabama, which corporation has not elected to accept the provisions of the Workmen's Compensation Act, but which corporation did, on November 28, 1961, regularly employ eight or more persons, and which corporation is not exempt from the provisions of the Workmen's Compensation Act.

2. That on November 28, 1961, while working as an employee of the defendant at Evergreen, Alabama, performing duties assigned to him by the defendant, to-wit: inspecting a dwelling insured by the defendant, the plaintiff pulled a fuse from a fuse box, which pulling accident seriously injured the plaintiff, and that said accident was the proximate cause of plaintiff's injury and disability.

3. Plaintiff avers defendant had prompt and immediate notice of said accident, but has refused to pay Workmen's Compensation benefits.

4. Plaintiff avers that at the time of the said accident he was receiving a salary of \$350.00 per month; and that his average wages for a long period of time prior to said accident was not less than \$350.00 per month.

WHEREFORE, Plaintiff claims of the defendant such benefits as he may be entitled to receive under the Workmen's Compensation Laws of the State of Alabama. He prays that notice may be given the defendant and that hearing of this his petition may be had, in accordance with the law, and with the rules of this Honorable Court.

NOV 20 1931

Court: accordance with the law, and with the rules of the Honorable the defendant and that hearing of this his decision may be had, in favor of the State of Alabama. The jury's verdict may be given as he may be entitled to receive under the Workmen's Compensation Act. WHEREFORE, plaintiff claims of the defendant and benefits was not less than \$320.00 per month.

average wages for a long period of time prior to said accident he was receiving a salary of \$320.00 per month; and that his benefits were not less than the amount of said accident benefits.

of said accident, but has refused to pay Workmen's Compensation benefits.

3. Plaintiff avers defendant has brought and immediate notice said accident was the proximate cause of plaintiff's injury and when having accident seriously injured and disabled, and that the defendant, the plaintiff injured is free from a free box, to him by the defendant, to-wit: insurance a dwelling insured of the defendant at Birmingham, Alabama, defendant duties assigned 3. That on November 23, 1931, while working as an employee the provisions of the Workmen's Compensation Act.

eight or more persons, and which corporation is not exempt from

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RECEIVED IN OFFICE

NOV 20 1931

M. S. BUTLER

Executed by serving 2 copies of the within on W. H. Butler Superintendent of Insurance State of Alabama This 30 day of Nov 1931 By M. S. Butler Sheriff of Montgomery County

THE Sheriff claims 2 copies of the within on W. H. Butler Superintendent of Insurance State of Alabama This 30 day of Nov 1931 By M. S. Butler Sheriff of Montgomery County

DEEDMAN

COLEMAN, FREDERICK: TO THE HONORABLE H. W. HILL, JUDGE OF THE CIRCUIT COURT OF BALDWIN

DEEDMAN

INC. BALDWIN MUTUAL INSURANCE COMPANY,

AT LAW

AS

BALDWIN COMPANY, ATTORNEY

DEEDMAN

IN THE CIRCUIT COURT OF

ANDY KROGER

3376

2289

STATE OF ALABAMA

DEPARTMENT OF INSURANCE

I, the undersigned as Superintendent of Insurance for the State of
Alabama, hereby certify that on the 30th day of November, 196 2,

I sent by registered mail in an envelope as follows:

Baldwin Mutual Insurance Company, Inc. **REGISTERED MAIL**
East Laurel Avenue **RETURN RECEIPT REQUESTED**
Foley, Alabama

bearing sufficient prepaid postage, a copy of a summons and complaint served
upon me by the Sheriff of Montgomery County, Alabama, in a cause styled as
follows:

Andy Miceli Plaintiff

in the Circuit Court of Baldwin County

VERSUS

Alabama

(Name of Court)

Baldwin Mutual Insurance Company, Inc. Defendant

And that on the 5th day of December, 196 2, I
received the return card showing receipt by the designated addressee of said
envelope on the 4th day of December 196 2.

Witness my hand and official seal this the 5th day of December
196 2.

William D. Page
SUPERINTENDENT OF INSURANCE

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FILED

DEC 5 1962

ALICE J. DUCK, CLERK
REGISTER