

CORINE McKINLEY,
Plaintiff,
VS.
ROBERT DAVIS,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5857

Now comes the plaintiff in the above styled cause and for answer to the interrogatories heretofore propounded to her by the defendant says:

1. For answer to Interrogatory Number 1: Corine McKinley, 23, Camden, Alabama.
2. For answer to Interrogatory Number 2: Bay Minette, Alabama.
3. For answer to Interrogatory Number 3: Yes
4. For answer to Interrogatory Number 4: 1956 Buick Special; Corine McKinley.
5. For answer to Interrogatory Number 5: Yes
6. For answer to Interrogatory Number 6: Yes; Betty Benton, General Delivery, Bay Minette, Alabama.
7. For answer to Interrogatory Number 7: Yes, two boys but I did not ascertain their name and address.
8. For answer to Interrogatory Number 8: The accident occurred approximately 6:40 A. M; I saw two boys in the automobile with the defendant.
9. For answer to Interrogatory Number 9: Upon advice of my attorney I refuse to answer Interrogatory Number 9.
10. For answer to Interrogatory Number 10: Upon advice of my attorney I refuse to answer Interrogatory Number 10.
11. For answer to Interrogatory Number 11: At the time of this accident I was stopped and the speed of the car which was driven by the defendant, Robert Davis, immediately prior to the point of impact was approximately 60 or 65 miles per hour.

12. For answer to Interrogatory Number 12: I was traveling in a Southerly direction on Brownwood Avenue in Bay Minette when I observed the defendant coming in a Northerly direction at a greatly excessive rate of speed. I pulled my automobile to the right shoulder and stopped and the defendant, Robert Davis, drove his automobile to the wrong side of the road and collided with my automobile.

Corine M. Kinley
Corine McKinley

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said State and County personally appeared Corine McKinley, who first being duly and legally sworn deposes and says, that she has read over the foregoing answers to interrogatories and that the said answers are true and correct.

Corine M. Kinley

Sworn to and subscribed before me
on this the 9th day of November, 1964.

Ernestine R. Sims
Notary Public, Baldwin County, Alabama

FILED

NOV 10 1964

ALICE J. DUCK, CLERK
REGISTER

CORINE MCKINLEY,

Plaintiff,

Vs.

ROBERT DAVIS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

70.5857

DEMURRER

Comes now the Defendant, Robert Davis, by his attorney, and demurs to the Complaint heretofore filed in this cause, and to each count thereof, separately and severally, and as ground and says:

1. The Complaint does not state a cause of action.
2. The Complaint does not appraise the Defendant how the automobile of the Plaintiffs was rendered useless by the Defendant.
3. The damages to Plaintiff's automobile were not sufficiently described.
4. The Complaint fails to allege who was the owner of the automobile allegedly driven by the Defendant at the time of the accident.
5. The Complaint fails to allege who was the owner of the vehicle being driven by the Plaintiff at the time of the accident.

Kenneth Cooper
Attorney For Defendant

The Defendant in this
cause respectfully
demands a trial by
jury in this cause.

Kenneth Cooper
Attorney For Defendant

*Attorney For Plaintiff:
Hon James R. Owen
Bay Minette, Ala*

FILED

JAN -7 1964

ALICE J. DUCK, CLERK
REGISTER

497

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Robert Davis to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the complaint of Corine McKinley.

WITNESS my hand this 9 day of December, 1963.

Deirdre Smith
Clerk

Defendant's address is
1215 Newport Street
Bay Minette, Alabama

* * * * *

CORINE MCKINLEY,

Plaintiff,

VS.

ROBERT DAVIS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

710,5457

COMPLAINT

The plaintiff claims of the defendant the sum of FOUR HUNDRED TWENTY DOLLARS (\$420.00) for that heretofore on to-wit, October 10, 1963, at a point on Brownwood Avenue in Bay Minette, Alabama, the said defendant so negligently operated an automobile so as to cause it to run into, upon or against the automobile of plaintiff which plaintiff was driving at said time and place, and as a proximate result of the negligence of the said defendant the automobile of the plaintiff was rendered useless and was completely demolished all to her damage as aforesaid, hence this suit.

[Signature]
Attorney for Plaintiff

FILED

DEC 9 1963

CLERK
REGISTER

496

62-1-4-64

70,5857

Corine McKinley

vs

Robert Davis

Received 9 day of Dec. 1963
and on 4 day of Jan 1964
served a copy of the within A & C
on Robert Davis

by service on _____

TAYLOR WILKINS, Sheriff

By W. C. Felber D. S.

Om

FILED

DEC 9 1963

MAICE J. DUCK, CLERK
RECORDED

CORINE MCKINLEY,

Plaintiff,

Vs.

ROBERT DAVIS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

#5857

PLEA

Comes now the Defendant in above style cause, and for answer to the Complaint, saith that, at the time of the happening of the alleged automobile accident in this cause, the foundation of the suit, he was a minor, under the age of twenty-one years.

Kenneth Coome
Attorney For Defendant

Attorney of Record for Plaintiff:

Hon James R. Owen

Bay Minette, Alabama

FILED

JAN 23 1984

ALICE L. DUCK, CLERK
REGISTER

CORINE MCKINLEY,
Plaintiff,
VS .

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

ROBERT DAVIS,
Defendant.

No. 5857

INTERROGATORIES PROPOUNDED BY THE DEFENDANT TO THE PLAINTIFF,
CORINE MCKINLEY.

Now comes the Defendant in the above styled cause and propounds the following interrogatories to the Plaintiff, Corine McKinley:

1. State your full name, age and place of residence.
2. Where were you living on October 10, 1963?
3. On October 10, 1963, were you driving an automobile on Brownwood Avenue in Bay Minette, Baldwin County, Alabama?
4. If your answer to the preceding question is in the affirmative, then state what kind of an automobile you were driving, giving its make and model number, and who was the registered owner of said automobile?
5. Were you involved in an automobile accident on October 10, 1963, with another automobile which was driven by Robert Davis?
6. If your answer to the foregoing question is in the affirmative, please state if anyone was riding with you at that time, and if so, give their name, age and address.
7. If there was an accident between you and Robert Davis on the said date, did you see anyone riding in the car with Robert Davis, and if so did you, prior to your departure from the said scene ascertain the name and address of anyone who may have been riding with Robert Davis at the time of the accident?
8. If you were involved in an accident on October 10, 1963, at the above-mentioned place, that is on Brownwood Avenue, in Bay Minette, Alabama, what time did the accident occur, and did you see anyother person or persons present at the scene immediately after your automobile and the one driven by Robert Davis collided?
9. Were you, at the time of the accident, holder of a drivers' permit?
10. If you did not have a drivers' permit, or a drivers' license,

in your possession at the time of the accident, had you ever been issued one by the State of Alabama or any other state on the date of October 10, 1963?

11. Can you estimate what speed you were traveling at the time of the accident on October 10, 1963, and can you state, with reasonable accuracy, the speed of the car which was driven by the Defendant, Robert Davis, immediately prior to the point of impact between your two automobiles?

12. Mrs. McKinley, please describe, in your own words, just how this accident occurred on October 10, 1963, giving whatever details you think are necessary to tell just how the accident took place.

Kenneth Cooper
Attorney For Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Kenneth Cooper, who first being duly and legally sworn, deposes and says that he is the attorney for the defendant in the above styled cause, that the answers to the foregoing interrogatories when truefully made will be material evidence for the defendant in the trial of his cause.

Kenneth Cooper

Sworn to and subscribed before me on this 26th day of February, 1964.

James H. [Signature]
Notary Public, Baldwin County

Servia Graftel 2-26-64
[Signature]

FILED
FEB 26 1964
ALICE L. DUCK, CLERK
REGISTER

CORINE McKINLEY,
Plaintiff,

vs.

ROBERT DAVIS,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

No. 5857

PLEA

The Defendant Robert Davis, for answer to the complaint, saith
that he is not guilty of the matters alleged therein.


Attorney For Defendant

FILED

SEP 16 1964

ALICE J. DUCK, CLERK
REGISTER

CORINE MCKINLEY,
Plaintiff,
vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

ROBERT DAVIS,
Defendant.

No. 5857

MOTION TO ENFORCE PENALTY FOR
FAILURE TO ANSWER

TO THE HONORABLE JUDGE L. S. MOORE, ACTING JUDGE OF SAID COURT.

Comes the Defendant, Robert Davis, and shows unto the Court that more than thirty days prior to the filing of this motion the Defendant in above styled cause propounded interrogatories to the Plaintiff, under Title 7, Sections 477-486, Code of Alabama, Recompiled 1958, requiring the Plaintiff to answer certain interrogatories therein propounded, and that although more than sixty days have elapsed since service of said interrogatories upon the Plaintiff, or her attorney, the Plaintiff has failed, and still fails and refuses, to answer the interrogatories therein propounded.

Wherefore, the Defendant moves this Honorable Court that it direct a non-suit or judgment by default, in favor of the Defendant in this cause, or in the alternative, that it continue this cause to the next regular session of this Court with instructions that if said interrogatories be not answered by then that a judgment by default be entered in favor of the Defendant.

Dated this 16th day of September, 1964.

FILED

SEP 16 1964

MADE J. DICK
CLERK
REGISTER

Kenneth Cooper
Attorney For Defendant

CORINE McKINLEY,

Plaintiff,

VS.

ROBERT DAVIS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

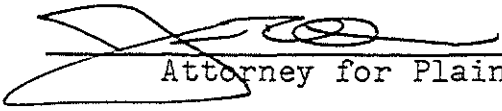
AT LAW

NO. 5857

DEMURRER TO PLEA

Now comes the plaintiff in the above styled cause and demurs to the plea heretofore filed in said cause by the defendant on January 28, 1964, and as grounds for said demurrer assign the following:

1. The said plea does not set up a valid defense to the complaint.


Attorney for Plaintiff

FILED

JAN 31 1964

Alice J. Duck, CLERK
REGISTER