

JAMES A. BRICE
ATTORNEY AT LAW
BOX 298 • FOLEY, ALABAMA • WH 3-3601

M E S S A G E

R E P L Y

TO Alice Duck
Circuit Clerk
Bay Minette, Alabama

DATE August 13, 1964
Re: ^{Chiara} Louis Di ~~Charri~~ VS
Mrs. Meredith Henderson

Dear Mrs. Duck:

You can ~~no~~ have the sheriff
serve process on Mrs. Meredith
Henderson at Hwy. 43, Saraland,
Alabama.

Thank you,

James Brice

DATE

6074

SIGNED

INSTRUCTIONS TO SENDER:

INSTRUCTIONS TO RECEIVER:

KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

JAMES A. BRICE

ATTORNEY AT LAW

BOX 298 • FOLEY, ALABAMA • WH 3-3601

M E S S A G E

R E P L Y

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

DATE May 25, 1964

Re: Tommy Di Chiara by Louis Di Chiara
Plaintiff

Vs: Mrs. Meredith Henderson
Defendant

Enclosure: Complaint

*Eunice: You'll have
to hold this until
I can furnish you
an address for the
defendant*

BY

INSTRUCTIONS TO SENDER

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

SIGNED

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

6074

JAMES A. BRICE

ATTORNEY AT LAW

~~BOX 298~~ • FULEY, ALABAMA • WH 3-3601

Atmore

MESSAGE

REPLY

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

DATE 11-20-64

RE: DICHLARA, etc.
VS.
MRS. MEREDITH HENDERSON

Dear Mrs. Duck:
The new Mobile telephone
directory lists the above defendant's
address as:

Highway 43, Saraland

Please send the papers back to
Sheriff Bridges and ask him to try
to serve here there. Thank you.

Sincerely,

[Signature]

BY

SIGNED

INSTRUCTIONS TO SENDER:

INSTRUCTIONS TO RECEIVER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

TOMMY Di CHIARA, a minor
by Louis Di Chiara, his
next friend,

Plaintiff,

vs.

MRS. MEREDITH HENDERSON,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRER:

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz.:

1. That said Complaint does not state a cause of action.
2. The Complaint alleges that the accident occurred in Gulf Shores, on a public street, but fails to allege that the Plaintiff was crossing a street at a point where he had the right to do so.
3. That said Complaint does not sufficiently set out where the accident occurred.
4. That said Complaint claims speculative damages.

CHASON, STONE & CHASON

By: 

Attorneys for Defendant

FILED

DEC 22 1967

ALICE L. HALL, CLERK

6074

6074

TOMMY Di CHIARA, a minor
By Louis Di Chiara, his
next friend,

Plaintiff,

vs.

MRS. MEREDITH HENDERSON,

Defendant.

DEMURRER

FILED

11.10.1955

CLERK OF COURT

TOMMY Di CHIARA, a minor
by LOUIS Di CHIARA, his next
friend

Plaintiff

vs

MRS. MEREDITH HENDERSON

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

Comes now the Plaintiff and amends his Complaint
by adding the following count:

2.

The Plaintiff, a minor, suing by and through his next
of friend, Louis Di Chiara, claims of the Defendant the sum of
TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages, for that
heretofore on, to-wit: the 31st day of May, 1963, the Plaintiff
was walking upon a public street in Gulf Shores, Baldwin County,
Alabama, to-wit: East Gulf Shores Boulevard at a point two-tents
(.2) of a mile East of the intersection of East Gulf Shores
Boulevard with Alabama Highway No. 59, where he had a right to
be, and the Defendant Mrs. Meredith Henderson, so wantonly operated
a motor vehicle then and there as to cause said motor vehicle she
was operating to run upon, against, and into the Plaintiff; and
Plaintiff avers that as a proximate consequence of the Defendants
wanton negligence, the Defendant wantonly injured the Plaintiff
seriously and permanently; the Plaintiff was made sick and sore,
caused to suffer great physical pain and anguish; the Plaintiff
received a head concussion, lacerations of the head and face,
and contusions and abrasions in and about his body and face.
The Plaintiff has suffered and will continue to suffer disability
and permanent scars due to the aforesaid injuries sustained in

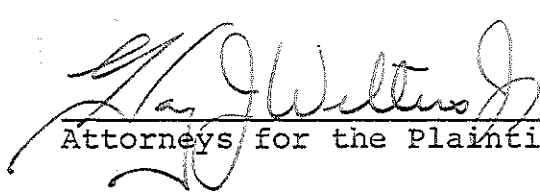
this accident, and the Plaintiff was caused to incur and is likely to incur in the future expenses of Doctor's, nurses, x-ray's, ambulances, hospitals and drugs in and about his said injuries as aforesaid, and will suffer and continue to suffer great nervous shock, pain and suffering in the future; for all of which he claims damages as aforesaid.

WILTERS & BRANTLEY

FILED

APR 29 1965

ALICE L. DUCK, CLERK
REGISTER


Attorneys for the Plaintiff

6074

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TOMMY Di CHIARA, a minor
by LOUIS Di CHIARA, his next
friend

Plaintiff

vs

MRS. MEREDITH HENDERSON

Defendant

FILED
APR 29 1965
ALICE A. DICK, CLERK
REGISTER

AMENDED COMPLAINT

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama

TOMMY Di CHIARA, a minor
by LOUIS Di CHIARA, his next
friend,

Plaintiff,

vs

MRS. MEREDITH HENDERSON

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRER:

Comes the Defendant in the above styled cause and
demurs to Count "2." of the Amended Complaint and assigns the
following separate and several grounds:

1. That said Complaint does not allege that the
Defendant wantonly injured the Plaintiff.

2. The allegation in the Complaint "as a proximate
consequence of the Defendants wantonly negligence, the Defendant
wantonly injured the Plaintiff" is not a proper allegation that
the Defendant did wantonly injure the Plaintiff.

3. For aught that appears from the Complaint, the
Plaintiff was jaywalking.

FILED

MAY 18 1985

ALICE J. DUCK, CLERK
REGISTER


Attorneys for Defendant

6074

TOMMY Di CHIARA, a minor
by LOUIS Di CHIARA, his next
friend,

Plaintiff,

vs

MRS. MEREDITH HENDERSON,

Defendant.

DEMURRER

FILED
MAY 13 1965
ALICE A. DUCK, CLERK
REGISTER

TOMMY Di CHIARA, a minor
By LOUIS Di CHIARA, his next
friend,

Plaintiff,

vs.

MRS. MEREDITH HENDERSON,

Defendant.

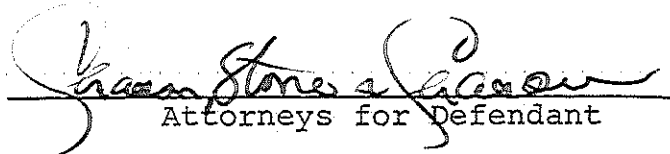
X
X
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X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

PLEAS

Comes the Defendant in the above styled cause and for
plea to Counts 1 and 2 of the original and Amended Complaint
filed in said cause, says:

1. Not guilty.
2. That the allegations of the Complaint are untrue.


Attorneys for Defendant

FILED
OCT 19 1965
JAMES L. STONE, CLERK
RECEIVED

6074

TOMMY Di CHIARA, a minor,
By LOUIS Di CHIARA,
his next friend,

Plaintiff,

vs.

MRS. MEREDITH HENDERSON

Defendant.

PLEAS

TOMMY Di CHIARA, a minor
by LOUIS Di CHIARA, his next
friend

PLAINTIFF

VS

MRS. MEREDITH HENDERSON

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW 6074

COMPLAINT

I

The Plaintiff, a minor, suing by and through his next friend, Louis Di Chiara, claims of the Defendant the sum of Twenty-five Thousand and NO/100 Dollars (\$25,000.00), as damages, for that heretofore on, to-wit: the 31st day of May 1963, the Plaintiff was walking upon a public street in Gulf Shores, Baldwin County, Alabama, to-wit: East Gulf Shores Boulevard at a point two-tenths (.2) of a mile East of the intersection of East Gulf Shores Boulevard with Alabama Highway No. 59, where he had a right to be, and the Defendant, Mrs. Meredith Henderson, so negligently operated a motor vehicle then and there as to cause said motor vehicle she was operating to run upon, against, and into the Plaintiff; and Plaintiff avers that as a proximate consequence thereof, the Plaintiff was seriously and permanently injured, was made sick and sore, was caused to suffer great physical pain and anguish; the Plaintiff received a head concussion, lacerations of the head and face, and contusions and abrasions in and about his body and face. The Plaintiff has suffered and will continue to suffer permanent disability and permanent scars due to the aforesaid injuries sustained in this accident, and the Plaintiff was caused to incur and is likely to incur in the future expenses of Doctor's, nurses, x-ray's, ambulances, hospitals and drugs in and about his said injuries as aforesaid, and will suffer and continue to suffer great nervous shock, pain and suffering in the future; for all of which he claims damages as aforesaid.

Plaintiff demands trial by jury.

Attorney for Plaintiff

Plaintiff demands trial by jury.

Attorney for Plaintiff

Attorney for Plaintiff

James A. Brice
Foley, Alabama

552

MAY 27 1964

ALICE I. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFE OF THE STATE OF ALABAMA

You Are Commanded to Summon

Mrs. Meredith Henderson

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 _____

Mrs. Meredith Henderson, Defendant

by Tommy Di Chiara, a minor, by Louis Di Chiara, his next friend

_____, Plaintiff

Witness my hand this 27 day of May 1964

Ex-2-2-65

Alice J. Duck, Clerk

No. 10074Page 100

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

Tommy Di Chiara, a minor, by
Louis Di Chiara, his next
friend

Plaintiffs

vs.

Mrs. Meredith Henderson

~~Highway 43~~ Hwy 43~~Saraland, Ala.~~~~1236 2nd Street~~ Defendants

Summons and Complaint

Filed MAY 20 1964 19

ALICE I. DUCK

CLERK
REGISTER

Clerk

RECEIVED

AUG 17 1964

SHERIFF'S OFFICE

Plaintiff's Attorney

Defendant's Attorney

~~2659 Hwy Brook Drive~~
~~Mobile, Ala.~~

RECEIVED

Defendant's Office

NOV 24 1964

SHERIFF'S OFFICE

TAYLOR WILKINS

SHERIFF Received In Office

Aug 14 1964
Taylor Wilkins
Sheriff.

I have executed this summons

EXECUTED

This 2 day of Feb, 1965

by serving a copy of the within on

Mrs. Meredith Henderson
RAY D. BRIDGES, Sheriff

By B. F. Harris D.S.

RECEIVED

AUG 18 1965

SHERIFF'S OFFICE