

JAMES M. EARLE	X		
Plaintiff	X	IN THE CIRCUIT COURT OF	
vs	X	BALDWIN COUNTY, ALABAMA	
LUTHER T. HINOTE	X	AT LAW	NO. 6316
Defendant	X		

Comes the defendant in the above styled cause and demurs to the complaint filed in said cause and for demurrer shows unto this Honorable Court as follows:

1. That said complaint fails to state a cause of action.
2. That said complaint fails to allege that the driver of said motor vehicle was operating said motor vehicle in a place where said driver had a right to be.

THOMPSON & WHITE

BY:

*[Signature]*  
Attorneys for defendant.

FILED  
DEC 21 1934  
ALICE I. DUCK, CLERK  
REGISTER

JAMES M. EARLE,	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
LUTHER T. HINOTE,	)	
Defendant.	)	LAW SIDE.

COUNT ONE:

The Plaintiff claims of the Defendant, the sum of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) for damages, for that on, to-wit, November 23, 1963, the Defendant so negligently operated a motor vehicle on High 59, approximately 4.5 miles North of Bay Minette, Alabama, where said highway is a public highway in the County of Baldwin, State of Alabama, as to cause or allow said motor vehicle to collide with the motor vehicle which was then and there being operated by Plaintiff's wife, Louquin Turk Earle, and in which said motor vehicle Tula Shannon Earle, the daughter of Plaintiff, was a passenger, at said time and place, and as a direct and proximate result and consequence of the aforesaid negligence of the Defendant, Plaintiff's said wife and daughter suffered severe cuts, bruises and sprains, was made sick, sore and lame, suffered severe pain and mental anguish and was permanently injured, and Plaintiff was caused to expend great sums of money for medical, hospital, doctor and nurses care in and about the treatment of the injuries of his wife and daughter; hence this suit.

*J. Connor Owens, Jr.*  
J. Connor Owens, Jr.

*Louis E. Braswell*  
Louis E. Braswell  
Attorneys for Plaintiff.

Of Counsel:

HAND, ARENDALL, BEDSOLE,  
GREAVES & JOHNSTON.

Plaintiff demands a trial of  
this cause by a Jury.

*J. Connor Owens, Jr.*

**FILED**

NOV 25 1964

ALICE L. DUCK, CLERK

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA

LUTHER T. HINOTE

You Are Commanded to Summon \_\_\_\_\_

201 POWELL AVENUE

BAY MINETTE, ALABAMA

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 Luther T. Hinote

\_\_\_\_\_, Defendant.

by JAMES M. EARLE

\_\_\_\_\_, Plaintiff.

Witness my hand this 23 day of November 1964

Beise French, Clerk

# STATE of ALABAMA

## Baldwin County

CIRCUIT COURT

James M. Earle

Plaintiffs

**VS.**

VS.  
Luther J. Sprate

## Defendants

## Summons and Complaint

Filed 11-23 1964

\_\_\_\_\_  
 Clerk

*J. Connor Owens Jr.*  
Plaintiff's Attorney

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

11/25, 1964

Sheriff.

I have executed this summons

this Nov - 28 1964  
by leaving a copy with

by leaving a copy with

Luther 7 Herata

2  
 Lehigh Wilkins  
 W. C. Talbot  
 Sheriff.  
 Deputy Sheriff.  
 034

Sheriff.

W. A. Zeller

Deputy Sheriff.

On