

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Alvin M. Elmore 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 Mary Chewning, as administratrix of the estate of Gene M. Chewning, deceased.

WITNESS my hand this 21st day of September, 1965.

Alice J. Duck
Alice J. Duck, Clerk

MARY CHEWNING, as Admin-
istratrix of the estate
of GENE M. CHEWNING, dec-
eased,

Plaintiff

vs

ALVIN M. ELMORE

Defendant

X

X

X

X

X

X

X

1.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6692


The Plaintiff, Mary Chewning, who sues as Administratrix of the estate of Gene M. Chewning, Deceased, claims of the Defendant the sum of ONE HUNDRED TWENTY-FIVE THOUSAND (\$125,000.00) DOLLARS as damages for that heretofore on, to-wit: the 14th day of February, 1965, in the Town of Robertsedale, Baldwin County, Alabama, the Plaintiffs intestate, was riding in an automobile driven by the Defendant, Alvin M. Elmore, at or near the intersection of Milwaukee Street and Wisconsin Street in said Town, a public street or highway and a busily traveled intersection, and then and there the said Alvin M. Elmore did willfully and wantonly fail to stop at a stop sign while traveling West on Wisconsin Street at the intersection of Milwaukee Street and Wisconsin Street, and as the result of said wanton act ran the automobile he was driving into, upon or against another auto-


mobile and thereby and as a proximate result and consequence thereof the said Gene M. Chewning, was wantonly killed.

2.

The Plaintiff, Mary Chewning, who sues as Administratrix of the estate of Gene M. Chewning, Deceased, claims of the Defendant, the sum of ONE HUNDRED TWENTY-FIVE THOUSAND (\$125,000.00) DOLLARS as damages for that heretofore on, to-wit: the 14th day of February, 1965, while Plaintiff's intestate was riding in an automobile being driven by the Defendant, Alvin M. Elmore, upon a Public road in the Town of Robertsedale, Baldwin County, Alabama, at the intersection of Milwaukee Street and Wisconsin Street, the Defendant did then and there so willfully and wantonly cause or allow the said automobile in which Plaintiff's intestate was riding as aforesaid to collide with another automobile upon said Public Street, whereby and as a proximate consequence of said wanton act of the Defendant, the Plaintiff intestate was killed.

WILTERS & BRANTLEY


Plaintiff demands a trial by jury.


Defendant may be served at:

1571 East Octavia Drive
Mobile, Alabama

FILED

SEP 21 1965

ALICE I. DUCK, CLERK
REGISTER

64-9-29-65

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6697

MARY CHEWNING, as Admin-
istratrix of the estate
of GENE M. CHEWNING, dec-
eased,

Plaintiff

29
ALVIN M. ELMORE

FILED

Defendant SEP 21 1965

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama

Filed 21 day of Sept 1965
on 29 day of Sept 1965
and a copy of the within
Alvin M. Elmore

Service on
Ray L. Bridges
TAYLOR WILKINS, Sheriff
By J. L. Jones D. S.

BY
SEP 22 10 44 AM '65
REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

MARY CHEWNING, as Executrix of
the Estate of Gene M. Chewning,
deceased,

Plaintiff,

Vs.

ALVIN M. ELMORE,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6697

MOTION


Comes now the Plaintiff, Mary Chewning, by and through her Attorney of Record and files this her Motion for a Judgment by default against the Defendant, Alvin M. Elmore, and for grounds therefor says:

1.

That the Summons and Complaint was served upon the said Defendant on the 29th day of September, 1965. Further that the Defendant has failed to appear, plead, answer or demur to the Bill of Complaint within the 30 days provided by the Statute.

WILTERS & BRANTLEY

BY:


Harry J. Wilters, Jr. Attorney of
Record for Mary Chewning

MARY CHEWNING, as Executrix of
the Estate of Gene M. Chewning,
deceased,

Plaintiff,

Vs.

ALVIN M. ELMORE,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6697

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BY:

Harry J. Wilters, Jr. Attorney of
Record for Mary Chewning

MARY CHEWNING, as Executrix of
the Estate of Gene M. Chewning,
deceased,

Plaintiff,

Vs.

ALVIN M. ELMORE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6697

MOTION

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WILTERS & BRANTLEY

FILED

NOV 3 1965

ALICE J. DUCK, CLERK
REGISTER

BY:


Harry J. Wilters, Jr. Attorney of
Record for Mary Chewning