

CLARA SHIPP	I	IN THE CIRCUIT COURT
Plaintiff	I	OF BALDWIN COUNTY
VS	I	ALABAMA
LORANE HAYLES NORMAN and ELBIE THOMAS	I	
Defendants	I	CIVIL DIVISION
	I	NO. <u>6952</u>

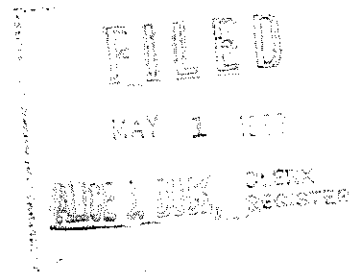
The plaintiff claims of the defendant the sum of TEN THOUSAND DOLLARS (\$10,000.00) as damages for that heretofore and on, to-wit the 9th day of May, 1965 the defendants did negligently operate automotive vehicles on and along U. S. Highway 90 to-wit 3.8 miles west of Spanish Fort, Baldwin County, Alabama as to run upon, over and against the plaintiff's automobile that she was operating on U. S. Highway 90 at the time and place aforesaid and as a direct and proximate result of the defendants' negligence the plaintiff's automobile was badly bent, broken and otherwise damaged and the plaintiff received injuries about her neck and back and she suffered physical pain and mental anguish and has incurred expense in and about treatment of her injuries, all for which the plaintiff sues.

M. A. Marsal
M. A. MARSAL
Attorney for Plaintiff

The plaintiff demands a jury trial.

M. A. Marsal
M. A. MARSAL

Defendants may be served:
Lorane Hayles Norman, Star Rt. Box 3, Daphne, Alabama
Elbie Thomas, Rt. 1, Loxley, Alabama



SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 6952

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Lorane Hayles Norman and Elbie Thomas

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.....

~~Lorane Hayles Thomas~~ Norman and Elbie Thomas

Defendant.....

by Clara Shipp

Plaintiff.....

Witness my hand this 2. day of May 19 66

168

Clerk

Clara Shipp
executed
5-5-66

Ellie Thomas

No...6952.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

CLARA SHIPP

Plaintiffs

vs.

LORANE HAYLES NORMAN and

ELBIE THOMAS

Defendants

SUMMONS AND COMPLAINT

Filed 5-2 19... 66

..... Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

MAY 3 1966

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Ellie Thomas 5-5-66
Lorane Hayles Norman
5-30-66

Cansever

Sheriff's Office 100
Ten Cents per mile Total 10.00
TAYLOR WILKINS, Sheriff
BY Roy Randall
DEPUTY SHERIFF

Sheriff

Deputy Sheriff

CLARA SHIPP,

X

Plaintiff,

X

vs.

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

LORANE HAYLES NORMAN
and ELBIE THOMAS,

X

LAW SIDE

NO. 6952

X

Defendants.

X

Comes the Defendant, Lorane Hayles Norman 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. That said Complaint "claims of the Defendant" while two Defendants are being sued and the Complaint does not allege which Defendant is referred to.

3. That said Complaint does not allege that the accident occurred in Baldwin County, Alabama.

4. That said Complaint does not allege any duty owing by Lorane Hayles Norman to the Plaintiff.

5. For aught that appeared from said Complaint the negligence of Lorane Hayles Norman was not the proximate cause of the Plaintiff's injury.

6. That said Complaint does not allege in what manner the Plaintiff's automobile was damaged.

7. That said Complaint claims damages for both personal injuries and property damages in the same count of the Complaint.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 6 day of June, 1966.

Wesley Stewart Norman
Attorneys for Defendant, Lorane Hayles Norman

FILED

JUN 6 1966

ALICE I. DICK, CLERK
REGISTER

CLARA SHIPP,

Plaintiff,

vs.

LORANE HAYLES NORMAN
and ELBIE THOMAS,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 6952

* * * * *

DEMURRER

* * * * *

FILED

JUN 6 1966

ALICE J. DICK, CLERK
RECEIVED

CLARA SHIPP : IN THE CIRCUIT COURT
Plaintiff, : OF BALDWIN COUNTY
VS. : ALABAMA
LORANE HAYLES NORMAN and : AT LAW
ELBIE THOMAS, jointly and :
severally, :
Defendants : CASE NO. 6952

Comes now the plaintiff in the above styled cause
and amends her complaint as follows:

The plaintiff claims of the defendants the sum of
FIFTY THOUSAND DOLLARS (\$50,000.00) as damages for in that
heretofore and on, to-wit: May 9, 1965, the defendant Lorane
Hayles Norman did negligently operate a motor vehicle on
U. S. Highway 90, at a point, to-wit: 3.8 miles west of
Spanish Fort in Baldwin County, Alabama, at which point
Highway 90 is a public road in Baldwin County, Alabama, so
as to cause the vehicle which she was driving to collide
with the vehicle operated by Elbie Thomas, which was then
and there upon Highway 90, a public highway in Baldwin County,
Alabama, and as a direct and proximate result of the defendants'
concurrent negligence, the vehicle operated by Elbie Thomas
ran into, upon and against the automobile of the plaintiff
which she was occupying and which was then and there upon
said Highway 90, a public highway in Baldwin County, Alabama,
and as a direct and proximate result of the defendants'
negligence, the plaintiff's automobile was badly bent, broken
and otherwise damaged; the plaintiff suffered personal injury
in that she was made sick, lame and sore; she has been caused
to lose time from her employment; she has been caused to
incur medical expense in and about her treatment; she has

been caused to suffer great pain and mental anguish and will be caused to suffer pain and mental anguish in the future; and she has been permanently injured, all for which she sues.

M. A. Marsal, Leon Duke

M. A. MARSAL

LEON DUKE, Attorneys for Plaintiff

Plaintiff demands a trial by jury.

M. A. Marsal, Leon Duke

M. A. MARSAL

LEON DUKE, Attorneys for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 17 day of January, 1967
M. A. Marsal, Leon Duke
Attorney for Pety

FILED

JAN 18 1967

ALICE L. DUKES CLERK
FEDERAL COURTS

CLARA SHIPP,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

vs.

X

AT LAW

LORANE HAYLES NORMAN

X

NUMBER: 6952

and ELBIE THOMAS,

jointly and severally,

X

Defendants.

X

DEMURRER:

Comes the Defendant, Lorane Hayles Norman, and demurs to the Complaint as amended which has been filed in the above styled cause and assigns the following separate and several grounds, viz:

1. That said amended complaint does not state a cause of action.

2. That said amended complaint does not allege any duty owing by this Defendant to the Plaintiff.

3. That said amended complaint fails to allege whether the Plaintiff was driving her automobile in which she was riding at the time of the accident.

4. That said amended complaint does not sufficiently set out the damage to Plaintiff's automobile.

5. That said amended complaint does not sufficiently set out the personal injuries that the Plaintiff received.

6. That said amended complaint does not allege that the Plaintiff was gainfully employed at the time of the accident.

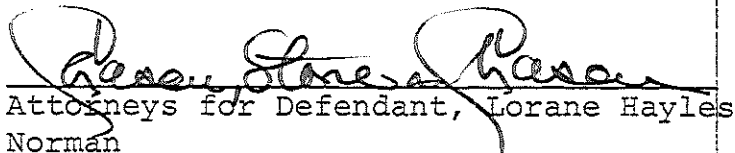
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 23 day

of

June,

1967


Attorneys for Defendant, Lorane Hayles Norman

CLARA SHIPP,

Plaintiff,

vs.

LORANE HAYLES NORMAN and ELBIE
THOMAS, jointly and severally,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 6952

* * * * *

DEMURRER

* * * * *

FILED
JAN 23 1967
AUBREY DUCK
CLERK
REGISTRY