

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW

CASE NO. 19003

COLLINS, GALLOWY & MURPHY
BY: JAMES H. LACKEY

THOMAS STUCKEY

N.J.

VS. Suit for \$1,500.00 damages to automobile.
TORT

KENNETH COOPER
Bay Minette, Ala.

GROVER C. REDMOND

N.J.

PLEADINGS, PROCESS, ETC. * FILING DATE *

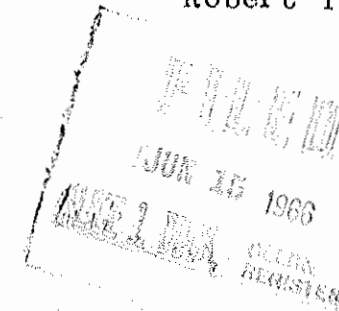
1. Complaint and Summons 4-7-66 * C & S served on Defendant on April 13, 1966.

June 13, 1966- Plea in Abatement granted by consent, and Case ordered
transferred to Circuit Court of Baldwin County, Alabama.
Robert T. Ervin, Jr. - Judge
33-757

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.

In witness whereof I have hereunto set my hand and attached my official seal as such Clerk of said Court at Mobile, Mobile County, Alabama, on this the 14th day of June, 1966.

John E. Mandeville, Clerk.



THOMAS STUCKEY, : IN THE CIRCUIT COURT OF
Plaintiff, :
VS: : MOBILE COUNTY, ALABAMA
GROVER C. REDMOND, : AT LAW
Defendant. : CASE NO. 19003

COUNT ONE

The Plaintiff claims of the Defendant ONE THOUSAND FIVE HUNDRED AND 00/100 (\$1,500.00) DOLLARS, as damages for that heretofore and on, to-wit, December 27, 1965, the Plaintiff was operating his automobile upon and along U. S. Highway No. 31, in or near the town of Bay Minette, Alabama, at which point said U. S. Highway 31 is a public road in Baldwin County, Alabama, and at the time and place aforesaid the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon, over or against the automobile of the Plaintiff, and as a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff's automobile was greatly damaged and rendered less valuable, hence this suit.

COLLINS, GALLOWAY & MURPHY

By: James H. Lackey
JAMES H. LACKEY
Attorneys for Plaintiff

Address of Defendant:

Post Office Box 45
Perdido, Alabama

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

APR 7 11 19 AM '66

John Marshall
CLERK

769

THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:
You are hereby commanded to summon

GROVER C. REDMOND

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,
at the place of holding the same, then and there to answer the complaint of

THOMAS STUCKEY

WITNESS: John E. Mandeville, Clerk of said Court, this 7th day of April, 1966

Attest: *John E. Mandeville*
Clerk

SHERIFF'S RETURN

Received _____ day of _____, 19____ and on _____ Day
of _____, 19____, I served a copy of
the within _____ on _____
by service on _____

RAY D. BRIDGES, SHERIFF

770 By _____ D.S.

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

APR 7 4 21 PM '66

BY _____

Filed 11 day of April 1966
on 13 day of April 1966
by Grover C. Redmond
copy of the within _____

service on _____

TAYLOR WILKINS, Sheriff

by W. A. Talbert, S.
om

Mail No. 19003 - E
JUDGE _____ DOCKET _____

CIVIL DIVISION

CIRCUIT COURT
MOBILE COUNTY

[Signature]
THOMAS STUCKEY

VS. }

Complaint and Summons

GROVER C. REDMOND

Issued 7th day of April, 1966

Defendant's Address

P.O. Box 45
Perdido, Alabama

JAMES H. LACKEY

Plaintiff's Attorney

THOMAS STUCKEY,)	IN THE CIRCUIT COURT OF
Plaintiff,)	MOBILE COUNTY, ALABAMA
VS:)	AT LAW
GROVER C. REDMOND,)	CASE NO. 19003 <i>E</i>
Defendant.)	

Comes now the Defendant, Grover C. Redmond, for the special purpose of filing the following plea separately to each and every count of the Complaint in said cause, and for no other purpose.

The said Grover C. Redmond alleges that at the time said suit was instituted and at the time said cause of action arose he was a bona fide resident of Baldwin County, State of Alabama, and that the Circuit Court of Mobile County, Alabama, is without jurisdiction to try this suit.

Grover C Redmond
Defendant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Kenneth Cooper, Notary Public, State At Large, State of Alabama, personally appeared Grover C. Redmond, who, being by me first duly and legally sworn, says on oath that the facts set forth in the foregoing plea are true and correct.

Grover C Redmond
Defendant

Subscribed and sworn to before me this 18 day of April, 1966.

Kenneth Cooper
Notary Public, State At Large
State of Alabama

I have this day ~~made~~ ^{certified} a copy of the above to Mr. Lackey, attorney for Plaintiff.

APR 19 10 23 AM '66

Paul Marshall
CLERK

Kenneth Cooper

MONDAY, JUNE 13, 1966

THOMAS STUCKEY)	PLEA IN ABATEMENT GRANTED,
)	BY CONSENT, AND CASE ORDERED
ERVIN -vs- 19003)	TRANSFERRED TO CIRCUIT COURT
)	OF BALDWIN COUNTY, ALABAMA
GROVER C. REDMOND)	

This day in open Court came the parties by their attorneys, and by consent of plaintiff and defendant made in open Court on this day; It is ordered and adjudged by the Court that defendant's Plea in Abatement filed April 19, 1966, in this cause be, and the same is hereby granted, by consent, and Case ordered transferred to Circuit Court of Baldwin County, Alabama.

Minute Book 33

Page 757

STATE OF ALABAMA, }
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
certify that the foregoing is a full, true and correct copy of ORDER OF COURT

as rendered by the said Circuit Court on the 13th day of June, 1966, in the cause
entitled No. 19003 - THOMAS STUCKEY

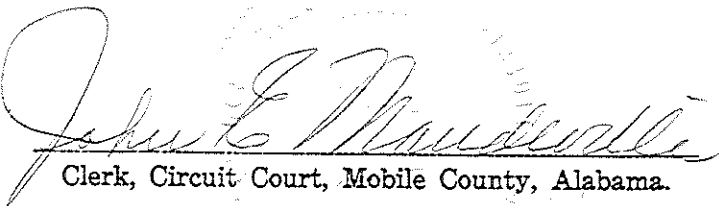
_____, Plaintiff,

— versus — GROVER C. REDMOND

Defendant, (~~Together with the cancellation thereof~~), as the same remains of record in this office in
Minute Book No. 33, Page No. 757

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office
in the City of Mobile, Alabama, on this the 14th day of June, 19 66.

ATTEST:


Clerk, Circuit Court, Mobile County, Alabama.

C. C. LAW 34-SM-1-65

No. 19003

VS.

Plaintiff

Defendant

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

I respectfully beg to advise that if this bill for costs is not paid before _____ 19_____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

We find in favor of the
plaintiff & set the damages
at \$600⁰⁰

Thomas H. Laune

April 20, 1967

Collins, Galloway & Murphy
Attorneys at Law
P. O. Box 4492
Mobile, Alabama

Attention: Hon. James H. Lackey

Gentlemen:

Re: Thomas Stuckey
vs: Grover C. Redmond
Case No. 7025

The Judge has sustained the demurrers in the above styled case and instructed me to notify you of same.

Yours very truly,

Circuit Clerk

AJD/eb

NW. 70 & 5
Thomas Luckey vs. Grover Redmond

JURY LIST - SPRING SESSION - MARCH 4, 1968

1. Douglas, Oliver, Brookley Field, Daphne
2. Lucassen, Joe L., Sr., Business Manager, Foley
3. DeDrew, Roy C., Auditor, Foley
4. Guthrie, Hershley H., Farmer, Foley
5. Hastings, Donald E., Farmer, Rosinton
6. Frank, Jake, Jr., Farmer, Elberta
7. Reedy, M. J., Postal Clerk, Bay Minette
8. Rider, Billy, Civil Service, Lillian
9. Nix, Ellis, Feed Mill, Silverhill
10. Peterson, L.P., Farmer, Robertsedale
11. Newton, Forrest B., Clerk, Bay Minette
12. Wittberg, Harry, Carpenter, Robertsedale
13. Stewart, Margaret, Housewife, Magnolia Springs
14. Simpson, Carl, Clay Products, Fairhope
15. Byrd, Claude, Newport, Bay Minette
16. Clemmons, Scott, Brookley Field, Fairhope
17. Cleverdon, Paul L., Farmer, Summerdale
18. Coleman, John E., Brookley Field, Bay Minette
19. Cox, Ruth G., Stockton
20. Burke, Fred, Civil Service, Foley
21. Byrd, Carl, Civil Service, Stapleton
22. Anacker, Walter R., Farmer, Fairhope
23. Bateman, Martin K., Bell Telephone, Bay Minette
24. Beck, John, Mechanic, Foley
25. Berglin, Quider S., Widow, Fairhope
26. Brinx, Willis, Farmer, Foley
27. Brynn, Carl L., Farmer, Elberta
28. Trawick, Cecil, Farmer, Stapleton
29. Trione, Leonard, Real Estate, Daphne
30. Underwood, Vaughn, Farmer, Foley
31. McGowan, Ted, State Employee, Bay Minette
32. Rhodes, Larkin T., Jr., Farmer, Bay Minette
33. Weston, Harold, Clerk, Fairhope
34. Willis, Bruce, Mechanic, Elberta
35. Joyner, J. H., Jr., Grand Hotel, Fairhope
36. Gause, Thomas H., Bacon McMillan Mills, Bay Minette
37. Yohn, Walter M., City of Fairhope, Fairhope
38. Young, Ilirjun, Jr., Standard Furniture, Bay Minette
39. Brewer, Ben, Farmer, Robertsedale

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P XXXXX XXXXX YXX =

D XXXX XXXXX XXXX

THOMAS STUCKEY, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: : AT LAW
GROVER C. REDMOND, :
Defendant. : CASE NO. 7 0 2 5

Comes now the Plaintiff in the above styled cause and amends his complaint as heretofore filed so that said complaint now reads as follows:

COUNT ONE

The Plaintiff claims of the Defendant ONE THOUSAND FIVE HUNDRED AND 00/100 (\$1,500.00) DOLLARS, as damages, for that heretofore and on to-wit, December 27, 1965, the Plaintiff was operating his automobile upon and along U. S. Highway No. 31, at or near its intersection with the driveway to Brantley Wrecking Yard, in or near the City of Bay Minette, Baldwin County, Alabama, at which place said U. S. Highway No. 31 is a public highway in Baldwin County, Alabama, and at the time and place aforesaid the Defendant so negligently operated a motor vehicle as to cause or allow the same to collide with the automobile of the Plaintiff, and as a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff's automobile was greatly damaged and rendered less valuable, hence this suit.

COLLINS, GALLOWAY & MURPHY

BY:

James H. Lackey
James H. Lackey
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24th day of April, 1967, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

James H. Lackey

FILED

Apr 24 1967

CLERK
REGISTER

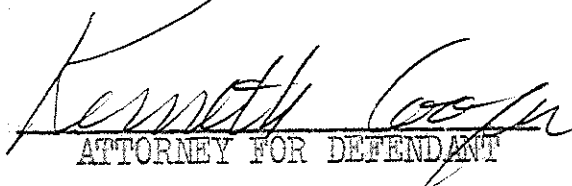
THOMAS STUCKEY,	¶	IN THE CIRCUIT COURT OF
Plaintiff,	¶	BALDWIN COUNTY, ALABAMA
Vs.	¶	AT LAW
GROVER C. REDMOND,	¶	CASE NO. 7025
Defendant.	¶	

AMENDED PLEA

Comes now the Defendant in above-styled cause, by his attorney of record, Kenneth Cooper, Esquire, and amends his PLEA heretofore filed in this cause, by adding the following paragraph 3, to-wit:

3. For further plea to the complaint, and by way of set-off and recoupment the Defendant says: The Defendant claims of the Plaintiff, the sum of Five Hundred (\$500.00) Dollars, for that heretofore on, to-wit, 27 December, 1965, the Plaintiff so negligently operated his automobile upon and along U. S. Highway No. 31, a public highway in Baldwin County, Alabama, at a point at or near where said U. S. Highway No. 31 intersects with the driveway to Brantley's Wrecking Yard, in or near the city of Bay Minette, Baldwin County, Alabama, so as to cause his said automobile to run into, upon or against the automobile driven by the Defendant, and as a proximate result of the said negligence of the said Plaintiff, the Defendant's motor vehicle was caused to be bent, broken and damaged about the rear springs, chassis and body thereof, hence this suit.

In all other respects the said complaint remains unchanged.


ATTORNEY FOR DEFENDANT

THOMAS STUCKEY,
Plaintiff,
Vs.
GROVER C. REDMOND,
Defendant.

Y
Y
Y
Y
Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 7025
19003

DEMURRER

Comes now the Defendant, Grover C. Redmond, by his attorney, Kenneth Cooper, Esquire, and demurs to the Complaint, and to each and every Count thereof, separately and severally, and as grounds therefor assign the following, to-wit:

1. The Complaint is vague.
2. The Complaint is uncertain.
3. The Complaint fails to state a legal cause of action.
4. The Complaint fails to sufficiently allege how Defendant was negligent.
5. The Complaint fails to allege how Plaintiff's automobile was damaged.
6. The Complaint fails to allege how Plaintiff's automobile was rendered less valuable.

Defendant demands a trial by jury in this cause.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

Kenneth Cooper
ATTORNEY FOR DEFENDANT

I hereby certify that I have served a copy of the foregoing on Hon. James H. Lackey, P.O. Box 4492, Mobile, Alabama, 36601, Counsel for Plaintiff herein by depositing a copy of same in the United States mail at Bay Minette, Alabama, addressed to him as above indicated by first class mail, postage prepaid, on this 23 day of March, 1967.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FILED

MAR 28 1967

ALICE L. HUIE, CLERK
REGISTER

774

THOMAS STUCKEY,

Plaintiff,

Vs.

GROVER C. REDMOND,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7025

PLEA

Comes now Defendant, Grover C. Redmond, by his Attorney, and for plea to the complaint heretofore filed in this cause saith:

1. General issue.
2. Not guilty.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

I certify that I have mailed a copy of the foregoing PLEA to Hon. James H. Lackey, P. O. Box 4492, Mobile, Alabama, by depositing the same in United States Mail, postage prepaid, at Bay Minette, Alabama, on this 21 day of November, 1967.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FILED

NOV 22 1967

ALICE J. DUCK CLERK
REGISTER

THOMAS STUCKEY,	⌋	IN THE CIRCUIT COURT OF
Plaintiff,	⌋	BALDWIN COUNTY, ALABAMA
Vs.	⌋	AT LAW
GROVER C. REDMOND,	⌋	CASE NO. 7025
Defendant.	⌋	

AMENDED PLEA

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In all other respects the said complaint remains unchanged.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FILED

MAR 5 1968

ALICE J. DUCK CLERK
REGISTER