

MOTION TO DISMISS.

CHARLES DANIELS,	X	IN THE CIRCUIT COURT OF
PLAINTIFF.	X	BALDWIN COUNTY, ALABAMA.
vs.	X	AT LAW.
MACK GRAY,	X	CASE NO: <u>7317</u>
DEFENDANT.	X	

Comes now the Plaintiff by his Attorney, and moves the Court to dismiss the above styled cause, at Plaintiff's cost and as grounds therefor respectfully shows:

That all matters in controversy in this suit between plaintiff and defendant have been fully settled and compromised by agreement, and that there is no further occasion for the prosecution of this suit.

TUCKER & HILDRETH


ATTORNEY FOR PLAINTIFF.

FILED

JAN 9 1987

ALICE I. DICK, CLERK
REGISTER

STATE OF ALABAMA

X

IN THE CIRCUIT COURT.

BALDWIN COUNTY

X

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon MACK GRAY, Star Route A, Atmore, Alabama; to appear in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, and plead, answer, or demur within thirty (30) days from service hereof, to the complaint of CHARLES DANIELS, PLAINTIFF.

Witness my hand this 16 day of December, 1966.


CLERK.

* * * * *

C O M P L A I N T .

CHARLES DANIELS,
PLAINTIFF.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

vs.

AT LAW.

MACK GRAY,

CASE NO: 7317.

DEFENDANT.

COUNT ONE.

THE PLAINTIFF, CHARLES DANIELS, claims of the Defendant, Mack Gray, the sum of Ten Thousand (\$10,000.00) Dollars, as damages, for that heretofore and on, to-wit; the 17th day of December, 1965, the Plaintiff, Charles Daniels, was operating an automobile upon a public highway in Baldwin County, Alabama, to-wit: on county road No. 61, at its intersection with Rabon Road, some 8.6 miles north of Perdido, Alabama, in Baldwin County, Alabama, and where the Plaintiff had a right to be, and then and there the Defendant, Mack Gray, negligently drove or operated a motor vehicle and then and there the Defendant, Mack Gray, negligently drove a motor vehicle into or upon or against the said automobile being then and there operated by the Plaintiff, Charles Daniels; and by reason thereof and as a proximate result and consequence thereof, the Plaintiff, Charles Daniels, received severe and painful personal injuries, in that, to-wit:

Plaintiff, Charles Daniels, received severe and painful personal injuries to his face, neck, legs and other parts of his body; Plaintiff was caused to loose much blood and suffered abrasions and contusions of the face, neck, legs and other parts of his body; Plaintiff was made sick, sore, and lame; Plaintiff was caused to suffer great mental anguish and physical pain and continues to have great pain.

Plaintiff, Charles Daniels' face was cut and scared; Plaintiff's right leg and knee were broken; Plaintiff was required to have his leg in a cast for forty-seven (47) days; Plaintiff was required to spend twenty (20) days in the hospital.

Plaintiff, Charles Daniels, was painfully and permanently injured and disabled; Plaintiff's 1956 Chevrolet automobile received severe damage and Plaintiff was deprived of the use of his said automobile; Plaintiff has been caused to incur great expense in ambulance, hospital, doctor and other medical care and continues to have said expenses; for all of which Plaintiff claims damages;

And Plaintiff avers that his aforesaid injuries and damages were proximately caused by reason of and in consequence of the aforesaid negligence of the Defendant, Mack Gray.

COUNT TWO.

THE PLAINTIFF, CHARLES DANIELS, claims of the Defendant, Mack Gray, the sum of Ten Thousand (\$10,000.00) Dollars, as damages, for that heretofore and on, to-wit; the 17th day of December, 1965, the Plaintiff, Charles Daniels, was operating an automobile upon a public highway in Baldwin County, Alabama, to-wit: on county road No. 61, at its intersection with Rabon Road, some 8.6 miles north of Perdido, Alabama, in Baldwin County, Alabama, and where the Plaintiff had a right to be, and then and there the Defendant, Mack Gray, wantonly drove or operated a motor vehicle and then and there the Defendant, Mack Gray, wantonly drove a motor vehicle into or upon or against the said automobile being then and there operated by the Plaintiff, Charles Daniels; and by reason thereof and as a proximate result and consequence thereof, the Plaintiff, Charles Daniels, received severe and painful personal injuries, in that, to-wit:

Plaintiff, Charles Daniels, received severe and painful personal injuries to his face, neck, legs and other parts of his body; Plaintiff was caused to loose much blood and suffered abrasions and contusions of the face, neck, legs and other parts of his body; Plaintiff was made sick, sore, and lame; Plaintiff was caused to suffer great mental anguish and physical pain and continues to have great pain.

Plaintiff, Charles Daniels' face was cut and scarred; Plaintiff's right leg and knee were broken; Plaintiff was required to have his leg in a cast for forty-seven (47) days; Plaintiff was required to spend twenty (20) days in the hospital.

Plaintiff, Charles Daniels, was painfully and permanently injured and disabled; Plaintiff's 1956 Chevrolet automobile received severe damage and Plaintiff was deprived of the use of his said automobile; Plaintiff has been caused to incur great expense in ambulance, hospital, doctor and other medical care and continues to have said expenses; for all of which Plaintiff claims damages;

And Plaintiff avers that his aforesaid injuries and damages were proximately caused by reason of and in consequence of the aforesaid wanton conduct of the Defendant, Mack Gray.

BY:


Attorney for Plaintiff.

Plaintiff requests a trial by jury of the issues involved in this cause.

BY:


Attorney for Plaintiff.

FILED

DEC 16 1966

AME L. DICK, CLERK
REGISTER

Executed 12-19-66
Taylor Wilkins Jr.
W.A. Tolbert D.S.

7317

Charles Daniels,
Pltf.

vs.

Mack Gray,
Def.

Summons & Complaint

Emmett Hildreth
Atmore, Ala -

Received 16 day of Dec. 1966
and on 19 day of Dec. 1966
I served a copy of the within 876
on Mack Gray

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Tolbert
Lottie

Sheriff claims 40 miles at
Ten Cents per mile Total \$4.00
TAYLOR WILKINS, Sheriff
BY W. A. Tolbert
DEPUTY SHERIFF

FILED

DEC 16 1966

WILLIAM L. DICK

CLERK