

RAY GREGORY OVERSTREET, suing : IN THE CIRCUIT COURT OF
by and through Herman Overstreet,
as his father and next friend,
Plaintiff, : OF BALDWIN COUNTY, ALABAMA
VS:
WILLIAM EARL MALONE, SR., and : AT LAW
WILLIAM EARL MALONE, JR.,
Defendants. : CASE NO. 7 3 7 8

Comes the Defendants in the above styled matter and
for answer to the complaint heretofore filed and to each and
every Count thereof separately and severally, says as follows:

1. Not guilty.

COLLINS, GALLOWAY & MURPHY

By: 

THOMAS M. GALLOWAY
ATTORNEYS FOR DEFENDANTS

FILED
MAY 1 1967
CLERK
RECEIVED

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William Earl Malone, Sr., and William Earl Malone, Jr., to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, then and there to answer the complaint of Ray Gregory Overstreet, suing by and through Herman Overstreet, as his father and next friend.

WITNESS my hand this 14 day of February, 1967.

Blair S. Luck
Clerk

Defendants' address is Route 1,
Box 23, Satsuma, Alabama.

* * * * *

RAY GREGORY OVERSTREET, suing
by and through Herman Overstreet,
as his father and next friend,

Plaintiff,

VS.

WILLIAM EARL MALONE, SR., and
WILLIAM EARL MALONE, JR.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

7378

C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant, William Earl Malone, Jr., the sum of Fifteen Hundred Dollars (\$1500.00) damages, for that heretofore on to-wit, the 19th day of June, 1966, the said William Earl Malone, Jr., so negligently operated a motor vehicle in a West-erly direction on Alabama Highway 180 at a point approximately 4.4 miles West of the Western city limits of the city of Gulf Shores, said highway being then and there a public highway in Baldwin County, Alabama, so as to cause or allow the said motor vehicle to run into, upon or against a motor vehicle in which the plaintiff was a passen-ger, which said motor vehicle was also headed in an Easterly direction

on Alabama Highway 180 at said time and place and as a proximate result of the negligence of the defendant, as aforesaid, the plaintiff was injured and damaged as follows: his head, neck, shoulders and back were thrown violently forward; the muscles in his neck, shoulders and back were severely stretched; he received a whiplash injury to his neck and shoulders; he has suffered headaches and dizziness as a result of the said accident; he suffered physical pain and mental anguish and anxiety; and he was required to take sedatives and drugs in and about an effort to relieve his pain and suffering. Plaintiff avers that all of his injuries and damages were the proximate result of the negligence of the defendant, William Earl Malone, Jr., as aforesaid, at said time and place, hence this suit.

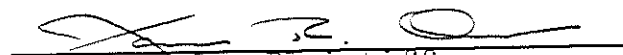
COUNT TWO

The plaintiff claims of the defendants the sum of Fifteen Hundred Dollars (\$1500.00) as damages for that heretofore on to-wit, the 19th day of June, 1966, William Earl Malone, Jr., while acting as the agent, servant or employee of William Earl Malone, Sr., so negligently operated a motor vehicle in an Easterly direction on Alabama Highway 180 at a point approximately 4.4 miles West of the Western city limits of the City of Gulf Shores, said highway being then and there a public highway in Baldwin County, Alabama, so as to cause or allow said motor vehicle to run into, upon or against a motor vehicle in which the plaintiff was a passenger, which said motor vehicle was also headed in an Easterly direction on Alabama Highway 180 at said time and place and as a proximate result of the negligence as aforesaid, the plaintiff was injured and damaged as follows: his head, neck, shoulders and back were thrown violently forward; the muscles in his neck, shoulders and back were severely stretched; he received a whiplash injury to his neck and shoulders; he has suffered headaches and dizziness as a result of the said accident, he suffered physical pain and mental anguish and anxiety; and he was required to take sedatives and drugs in and about an effort to relieve his pain and suffering. Plaintiff avers that all of his injuries and damages were suffered as the proximate result

of the negligence of the defendant, William Earl Malone, Jr., as
aforesaid, while acting as the agent, servant or employee of the
defendant, William Earl Malone, Sr., within the line and scope of his
authority as such agent, servant or employee at said time and place,
hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial by
jury of said cause.


Attorney for Plaintiff

FILED

FEB 14 1967

AIDE L. RICK, CLERK
REGISTER

67-3-29-67
+ 5-3-67

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CASE NO. 7378

4087

4133

RECEIVED

FEB 15 1967

RAY GREGORY OVERSTREET, suing by
and through HERMAN OVERSTREET, as
his father and next friend,

Plaintiff,

vs:

WILLIAM EARL MALONE, SR., and

WILLIAM EARL MALONE, SR.

Défendant.

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

FEB 14 1967

AUDIE R. DICK, CLERK

James R. Owen, Atty.

TAYLOR WILKINS
EXECUTED

This 29 day of Mar, 1967

by serving a copy of the within on

William Earl Malone, Sr.

RAY D. BRIDGES, Sheriff

By J. D. [Signature] D.S.

EXECUTED

This 3 day of May, 1967

by serving a copy of the within on

William Earl Malone, Sr.

RAY D. BRIDGES, Sheriff

By D. H. [Signature] D.S.

RETURNED 2-27-67

Not found in my County after diligent search and inquiry.

RAY D. BRIDGES, Sheriff

By D. R. Jackson D.S.

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
FEB 16 8 57 AM '67
BY 18
MAR 29 5 1
REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.