

Cecil Kruffire

7537

VS

Bill

Burrett

FALL TERM

JURY LIST - SEPTEMBER 9, 1968

1. Bryars, Thomas Eugene, Brookley Field, Bay Minette
2. Pittman, Hubert, Public Works, Robertsdale
3. Quinley, Adrian L., Farmer, Bay Minette
4. Ray, Harry, Farmer, Robertsdale
5. Resmondo, Noah, Farmer, Summerdale
6. Schaff, George, Farmer, Elberta
7. Sibley, Robert, Civil Service, Stapleton
8. Singleton, Homer C., Salesman, Foley
9. Sopr, Joseph, Farmer, Silverhill
10. Teamer, Richard, Banker, Fairhope
11. Thieme, W. H., Foreman, Foley
12. Wynn, Harry, Farmer, Summerdale
13. Head, Hannis, Civil Service, Stapleton
14. Wallace, Jimmy R., Feed Mill, Robertsdale
15. Weeks, Stanley, Farmer, Magnolia Springs
16. White, Harold A., Laborer, Foley
17. Wilson, Jack H., Merchant, Foley
18. Lowell, Clyde, Laborer, Fairhope
19. Conway, Chas., Brookley Field, Bay Minette
20. Cox, Richard L., Timberman, Stockton
21. Duck, Robert S., Nursery Mgr., Loxley
22. Durant, Harry, Timber, Stapleton
23. Durant, Joe C., Farmer, Bay Minette
24. Gee, Luther, State Employee, Bay Minette
25. Gottler, Joe, Farmer, Elberta
26. Attaway, Hubert, State Emp., Gulf Shores
27. Bishop, Daniel C., Fisherman, Barnwell
28. Boan, Jessie Forest, Farmer, Stapleton
29. Bodenhamer, O. L., Contractor, Foley
30. Carmichael, Arlee, Brookley Field, Daphne
31. Gottler, John P., Postmaster, Elberta
32. Lyrene, George A., Farmer, Silverhill
33. Martin, Auburn W., Farmer, Stockton
34. Miller, R. Cecil, Implement Dealer, Foley
35. McGants, Joe., Brookley Field, Fairhope
36. McKenzie, Elroy, Jr., Farmer, Fairhope
37. Nelson, William J., Produce Man., Fairhope
38. Nespor, Frank E., Maintinmoe, Loxley
39. Kinsey, Daniel, Insurance, Foley
40. Klein, Raymond, Farmer, Fairhope
41. Inge, McKinley, Clerk, Bay Minette
42. James, Willie Lewis, Mill Worker, Stockton
43. Kostelicky, Jerry, Farmer, Silverhill
44. Krieger, Andrew J., Jr., Farmer, Lillian
45. Lazzari, A. V., Jr., Farmer, Belforest
46. Lipscomb, Ira., Farmer, Magnolia Springs
47. Little, Marshall, State Employee, Lottie

XXXXX XXXXX XXXXX XX

XXXX XXXXX XXXXX X

48
3
45
12
58

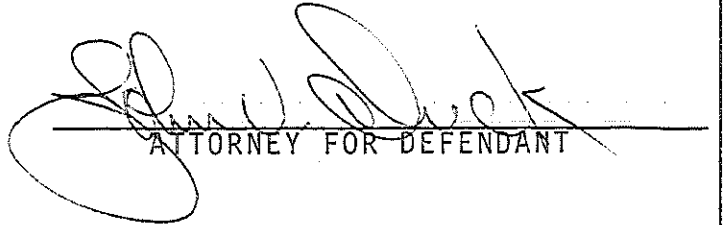
JOEL B. GRIFFIN,)
Plaintiff,)
vs.)
BILL BARRETT, a/k/a)
JAMES E. BARRETT,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, NO. 7537

Comes now the Defendant in the above styled cause, and for plea to the Amended Complaint filed in said cause, separately and severally says:

1. Not guilty.

2. That at the time and place claimed of in the Complaint, the Plaintiff himself was guilty of negligence which was the proximate cause of his injuries and damages, hence he cannot recover in this suit.


ATTORNEY FOR DEFENDANT

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 25th day of April, 1968


Attorney for

FILED

APR 29 1968

ALICE J. DUCK CLERK
REGISTER

JOEL B. GRIFFIN)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF)	BALDWIN COUNTY, ALABAMA
)	
VS)	AT LAW
)	
BILL BARRETT, also known)	CASE NO. 7537
as JAMES E. BARRETT)	
)	
DEFENDANT)	

.....

Comes now the Plaintiff and amends his complaint to read as follows:

I

The Plaintiff claims of the Defendant the sum of NINE-THOUSAND and NO/100 (\$9,000.00) DOLLARS for that on to-wit the 28th day of May, 1966 Defendant so negligently operated a motor boat on Mobile Bay at a point approximately two miles Southwest of the Fairhope Yacht Club in Baldwin County, Alabama, in which boat Plaintiff was riding as a passenger, as to cause or allow the boat to broach at high speed and with great violence and that as a proximate result of such negligence Plaintiff was thrown and crushed against the side and windshield of the said boat, thereby breaking his ribs, bruising his spleen, crushing his nose and face and causing him great pain and anguish, that Plaintiff was thereby compelled to incur substantial hospital and medical bills for the treatment of the injuries then and there suffered, hence this suit.

II

The Plaintiff claims of the Defendant the sum of NINE-THOUSAND and NO/100 (\$9,000.00) DOLLARS for that Defendant wantonly injured Plaintiff in this: on to-wit the 28th day of May, 1966 Defendant so wantonly operated a motor boat on Mobile Bay at a point approximately two miles Southwest of the Fairhope Yacht Club in Baldwin County, Alabama, in which boat Plaintiff was riding as a passenger, as to wantonly cause the boat to broach at high speed and with great violence and that as a proximate result of such wanton misconduct Plaintiff was thrown and crushed against the side and windshield of the said boat, thereby breaking his

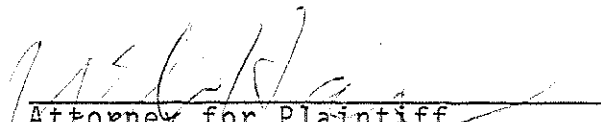
ribs, bruising his spleen, crushing his nose and face and causing him great pain and anguish, that Plaintiff was thereby compelled to incur substantial hospital and medical bills for the treatment of the injuries then and there suffered, hence this suit.


Attorney for Plaintiff

Plaintiff demands trial

by Jury. *x*

This 21st day of March
1967.


Attorney for Plaintiff

FILED
NOV 22 1967
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(Jury)

NUMBER 7537

JOEL B. GRIFFIN

PLAINTIFF

VS

BILL BARRETT, also known
as JAMES E. BARRETT

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

COMPLAINT

JOEL B. GRIFFIN,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW, CASE NO. 7537
BILL BARRETT, also known)	
as JAMES E. BARRETT,)	
Defendant.)	

Comes the Defendant in the above styled cause, and demurs to the Complaint, and separately and severally to each count thereof, and for grounds of demurrer, assigns, separately and severally the following:

1. No facts are alleged to show that Plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of the Defendant.
2. Does not allege with sufficient certainty where said accident occurred.
3. For aught that appears, Plaintiff had no right to be where he was at the time and place of said accident.
4. No facts are alleged to show that Defendant owed Plaintiff any duty at the time and place of said accident, and breached the same, thereby proximately causing him damage or injury.
5. For aught that appears, the Defendant owed Plaintiff no duty at the time and place of said accident.
6. That said Bill of Complaint is vague and indefinite.
7. Said counts state no cause of action against the Defendant.
8. That said Bill of Complaint fails to allege with sufficient certainty any negligence on the part of the Defendant.
9. From aught that appears from Count I, the Plaintiff was a guest on the Defendant's boat at the time of the alleged accident.
10. The averments of negligence are merely the conclusions of the Plaintiff with no facts alleged in support thereof.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter, 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 21 day of June 1967

Attorney for Defendant

ATTORNEY FOR DEFENDANT

JOEL B. GRIFFIN

PLAINTIFF

VS

BILL BARRETT, a/k/a

JAMES E. BARRETT,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 7537

.....

I

The Plaintiff claims of the Defendant the sum of NINE-THOUSAND and NO/100 (\$9,000.00) DOLLARS for that on to-wit the 28th day of May, 1966 Defendant so negligently operated a motor boat on Mobile Bay at a point approximately two miles Southwest of the Fairhope Yacht Club in Baldwin County, Alabama, in which boat Plaintiff was riding as a passenger, as to cause or allow the boat to broach at high speed and with great violence and that as a proximate result of such negligence Plaintiff was thrown and crushed against the side and windshield of the said boat, thereby breaking his ribs, bruising his spleen, crushing his nose and face and causing him great pain and anguish, that Plaintiff was thereby compelled to incur substantial hospital and medical bills for the treatment of the injuries then and there suffered, hence this suit.

II

The Plaintiff claims of the defendant the sum of NINE-THOUSAND and NO/100 (\$9,000.00) DOLLARS for that on to-wit the 28th day of May, 1966 Defendant so wantonly operated a motor boat on Mobile Bay at a point approximately two miles Southwest of the Fairhope Yacht Club in Baldwin County, Alabama, in which boat Plaintiff was riding as a passenger, as to cause or allow the boat to broach at high speed and with great violence and that as a proximate result of such wanton misconduct Plaintiff was thrown and crushed against the side and windshield of the said boat,

thereby breaking his ribs, bruising his spleen, crushing his nose and face and causing him great pain and anguish, that Plaintiff was thereby compelled to incur substantial hospital and medical bills for the treatment of the injuries then and there suffered, hence this suit.

W. L. Hay
Attorney for Plaintiff

Plaintiff demands trial
by Jury.

This 24th day of May,
1967.

W. L. Hay
Attorney for Plaintiff

FILED

MAY 24 1967

ALICE L. DUCK, CLERK
REGISTERED

NUMBER: _____

JOEL B. GRIFFIN

PLAINTIFF

VS

BILL BARRETT, a/k/a

JAMES E. BARRETT

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COMPLAINT

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7537

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Bill Barrett, a/k/a James E. Barrett

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.....

Bill Barrett, a/k/a James E. Barrett
....., Defendant.....

by Joel B. Griffin

....., Plaintiff.....

Witness my hand this 24th day of May 1967

Oliver J. Webb
..... Clerk

No. 7537.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JOEL B. GRIFFIN

Plaintiffs

vs.

BILL BARRETT, /a/k/a

Defendants

JAMES E. BARRETT

SUMMONS AND COMPLAINT

Filed May 24, 1967

Alice J. Duck

Clerk

Wilson Hayes

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Ala. Extension Service Fairhope

Received In Office

MAY 25 1967

19.....

TAYLOR WILKINS

Sheriff

Sheriff

I have executed this summons

this

5-29-

1967

by leaving a copy with

~~Bill Barrett~~

Bill Barrett / A/K/A
James E. Barrett
J. Hayes

Sheriff claims

70

miles to

Post Office per mile Total \$

7.22

TAYLOR WILKINS, Sheriff

BY

Ray Randall

Deputy Sheriff

Taylor Wilkins
Ray Randall

Sheriff

Deputy Sheriff