

P. O. DRAWER A-J

**RICHARD C. LACEY**

TELEPHONE 928-2373

ATTORNEY AT LAW  
FAIRHOPE, ALABAMA 36532

September 27, 1967

Mrs. Alice J. Duck  
Circuit Clerk  
Bay Minette, Alabama

Re: Magdalina Wing  
Vs.  
Leona Wright Niles

Dear Mrs. Duck:

Please have the enclosed Bill of Complaint served on  
Leona Wright Niles.

Thank you.

Sincerely,

*Richard C. Lacey*  
Richard C. Lacey (527)

RCL:mt

Encls.

# SUMMONS AND COMPLAINT

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 7773

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Leona Wright Niles

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.....

Leona Wright Niles....., Defendant.....

by .....

Magdalena Wing....., Plaintiff.....

Witness my hand this 29 day of Sept 1967

37 10-6-67

Edie Jackson Clerk

No. 7773

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Magdalena Wray

Plaintiffs

vs.

Leona Wright Niles

Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

SEP 29 1967 Clerk

**ALICE J. DUCK**

CLERK  
REGISTER

R. Lacey  
Plaintiff's Attorney

Defendant's Attorney

103 Liberty St  
J. Lopez

Defendant lives at

**RECEIVED**  
Received In Office

OCT 2 1967 19.....

TAYLOR WILKINS Sheriff

I have executed this summons

this Oct 6 1967

by leaving a copy with

Leona Wright Niles  
J. Lopez

Sheriff claims 70 miles

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

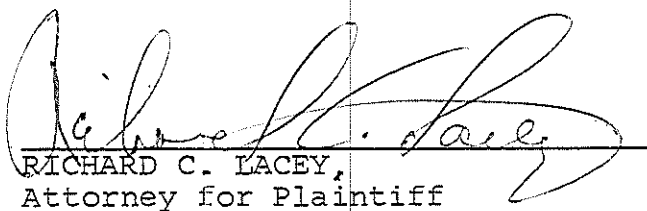
BY Randall  
DEPUTY SHERIFF

Layn Wilkins, Sheriff

Roy Randall Deputy Sheriff

MAGDALINA WING,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.	)	
LEONA WRIGHT NILES,	)	AT LAW
Defendant.	)	712 7773

Plaintiff claims of the Defendant the sum of TEN THOUSAND DOLLARS (\$10,000.00), damages, for that heretofore and on, to-wit: April 20, 1967, the Defendant, LEONA WRIGHT NILES, did so negligently operate a motor vehicle in an Easterly directon on Gayfer Street at the intersection of Ingleside Avenue in the City of Fairhope, Baldwin County, Alabama, as to cause or allow said motor vehicle to collide with the vehicle being operated in a Southerly direction on Ingleside Avenue at the intersection of Gayfer Street in the City of Fairhope, Baldwin County, Alabama, and as a result of said collision Plaintiff was injured, was made sick and sore; Plaintiff's arm, neck and back were so severally injured so as to cause her permanent damage and cause much pain and mental anguish to be suffered by the Plaintiff and the vehicle owned by the Plaintiff was completely destroyed; all to her damage as a result of the negligence of the Defendant, as aforesaid, hence this suit.

  
 RICHARD C. LACEY,  
 Attorney for Plaintiff

DEFENDANT MAY BE SERVED AT:

103 Liberty Street  
 Fairhope, Alabama

**FILED**

SEP 29 1967

**ALICE J. DUCK** CLERK  
 REGISTER

MAGDALINA WING,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

X

LEONA WRIGHT NILES,

X

LAW SIDE

Defendant.

X

DEMURRER:

Comes the Defendant 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 does not allege that the Plaintiff was an occupant of either vehicle at the time of the accident.
3. That said Complaint is vague and indefinite.
4. That said Complaint does not state that the negligence of the Defendant was the proximate cause of the Plaintiff's injuries.
5. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
6. That said Complaint fails to allege the owner or occupants of the motor vehicle which was struck by the Defendant's automobile.

*Chas. Stone & Chas.*  
Attorneys for Defendant

Defendant demands a trial of this cause by a jury.

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 20 day of *Oct*, 19*67*.

*Chas. Stone & Chas.*  
Attorneys for Defendant

*Chas. Stone*

OCT 20 1967

7773

MAGDALINA WING,

Plaintiff,

vs.

LEONA WRIGHT NILES,

Defendant

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

\* \* \* \* \*

DEMURRER

\* \* \* \* \*

FILED

OCT 20 1967

ALICE J. BUCK

CLERK  
REGISTER