

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES

WALTER M. COOK

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

AUGUSTINE MEAHER, III

JAMES B. KIERCE, JR.

WESLEY PIPES

36601

AREA CODE 205  
TEL. 432-4483  
P.O. DRAWER 2525

April 30, 1968

CERTIFIED MAIL RETURN  
RECEIPT REQUESTED.

Mrs. Alice Duck  
Clerk, Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama 36507

Re: Madalyn Alexander vs. Denvall J. Stamey  
Circuit Court Case No. 8058

E. M. Alexander vs. Denvall J. Stamey  
Circuit Court Case No. 8059

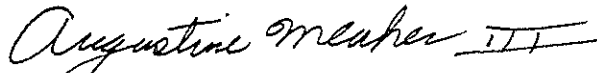
Christine Alexander vs. Denvall J. Stamey  
Circuit Court Case No. 8060

Dear Mrs. Duck:

We enclose herein our demurrers on behalf of the  
defendant in the three cases referenced above and  
request that they be filed in your Court.

Very truly yours,

LYONS, PIPES AND COOK



Augustine Meaher, III

AM/bn

Enclosures

cc: Mr. Tolbert M. Brantley  
Wilters & Brantley  
Attorneys at Law  
Bay Minette, Alabama 36507

HARRY J. WILTERS, JR.  
TOLBERT M. BRANTLEY

LAW OFFICES OF  
WILTERS & BRANTLEY  
P. O. BOX 968  
BAY MINETTE, ALABAMA 36507  
September 9, 1969

PHONE  
BAY MINETTE 937-5533

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

Dear Mrs. Duck:

Please dismiss the following cases:

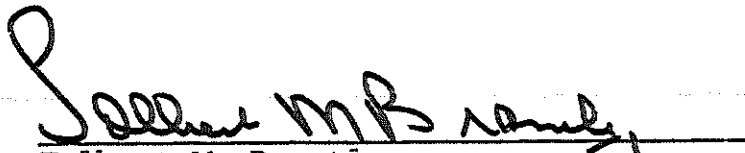
Christine Alexander vs. Denva J. Stamey, #8,060

E. M. Alexander vs. Denva J. Stamey, #8059

Madalyn Alexander vs. Denva J. Stamey, #8,058

Thank you very much.

Sincerely yours,

  
Tolbert M. Brantley

TMB/jcw  
cc Walter M. Cook  
Attorney at Law  
Mobile, Alabama

April 8, 1968

MADALYN ALEXANDER, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

VS

DENVAL J. STAMEY, Defendant

CASE NO. 8,058

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on March 29, 1968  
I sent by certified mail in an envelope addressed as follows:

"Denva J. Stamey  
Baton Rouge, Louisiana 70803"

"Certified Mail—  
Return Receipt Requested  
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

"Denva J. Stamey  
Baton Rouge, Louisiana 70803

You will take notice that on March 29, 1968 the Sheriff of Montgomery  
County, Alabama, served upon me, in my official capacity, summons and complaint in a  
case entitled: MADALYN ALEXANDER, Plaintiff VS DENVAL J. STAMEY, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 8,058 a true copy of which summons and complaint is attached hereto  
and the said service upon me as Secretary of State of the State of Alabama has the force and  
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 29th  
day of March, 1968

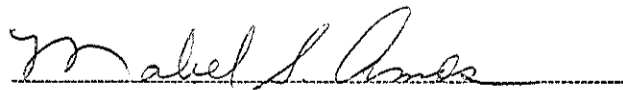
Enclosure (1)

(Signed) Mabel Amos  
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed  
as above set forth had attached to it a true copy of the summons and complaint in the above-styled  
cause.

I further certify that on April 5, 1968 I received the return card, showing  
receipt by the designated addressee of the aforementioned matter at Baton Rouge, La.  
on April 4, 1968

WITNESS MY HAND and the Great Seal of the State of Alabama this the 8th day  
of April, 1968

  
Mabel Amos  
Secretary of State

Enclosures: Return Receipt Card and copy  
of Summons and Complaint.  
cc: Honorable Tolbert M. Brantley  
Wilters & Brantley  
Bay Minette, Alabama 36507

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 8058

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Denval J. Stacey

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.....

Denval J. Stacey....., Defendant.....

by Madalyn Alexander.....

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

Witness my hand this 22nd day of March 19 68

Alice J. [Signature] Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs,

Defendants

SUMMONS AND COMPLAINT

Filed ..... 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

Plaintiff,

VS.

DENVAL J. STAMEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8058

BILL OF COMPLAINT

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS as damages for that heretofore on to-wit: March 26, 1967, the Plaintiff was riding in a motor vehicle along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately twelve (12) miles East of the Town of Robertsedale, Alabama. At said time and place, the Defendant so negligently operated his motor vehicle as to cause or allow it to run into the motor vehicle in which the Plaintiff was riding, and as a direct and proximate consequence and result of said negligence, the Plaintiff was injured as follows:

her cervical spine was dislocated, she received a whip-lash injury to her back and neck, and she was caused to expend great sums of money in an effort to treat and cure her ailments. She was caused to lose time from her work all to the loss of the Plaintiff in the aforesaid amount.

The Plaintiff further avers that the Defendant is and was on the date of the collision, to-wit: March 26, 1967, a non-resident of the State of Alabama. That the present post office address of the Defendant is Baton Rouge, Louisiana, and the Plaintiff prays for the service of process upon him in accordance with

the provisions of the 1940 Code of Alabama, recompiled in 1958,  
Title 7, Section 199.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley

The Plaintiff demands a trial by jury.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley

FILED

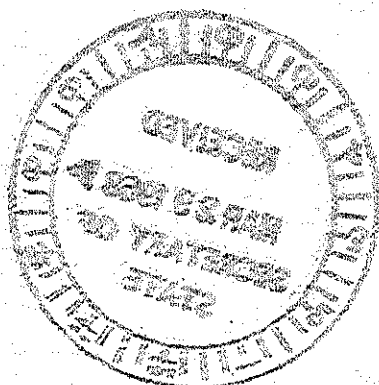
MAR 22 1968

ALICE J. DUCK

CLERK  
REGISTER

WVR SS 1008

WV 9 1008  
REGISTER  
CLERK



MADALYN ALEXANDER,	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
DENVAL J. STAMEY,	)	AT LAW
Defendant.	)	CASE NO. <u>8058</u>

BILL OF COMPLAINT

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS as damages for that heretofore on to-wit: March 26, 1967, the Plaintiff was riding in a motor vehicle along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately twelve (12) miles East of the Town of Robertsedale, Alabama. At said time and place, the Defendant so negligently operated his motor vehicle as to cause or allow it to run into the motor vehicle in which the Plaintiff was riding, and as a direct and proximate consequence and result of said negligence, the Plaintiff was injured as follows:

her cervical spine was dislocated, she received a whip-lash injury to her back and neck, and she was caused to expend great sums of money in an effort to treat and cure her ailments. She was caused to lose time from her work all to the loss of the Plaintiff in the aforesaid amount.

The Plaintiff further avers that the Defendant is and was on the date of the collision, to-wit: March 26, 1967, a non-resident of the State of Alabama. That the present post office address of the Defendant is Baton Rouge, Louisiana, and the Plaintiff prays for the service of process upon him in accordance with

the provisions of the 1940 Code of Alabama, recompiled in 1958,  
Title 7, Section 199.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley  
Tolbert M. Brantley

The Plaintiff demands a trial by jury.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley  
Tolbert M. Brantley

FILED

MAR 22 1968

ALICE J. DUCK

CLERK  
REGISTER

MADALYN ALEXANDER

Plaintiff

vs

DENVAL J. STAMEY

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO 8058

Comes Now the defendant in the above entitled cause, and demurs to the plaintiff's complaint, and to each count thereof, separately and severally, and as grounds for said demurrer sets down and assigns the following, separately and severally:

1. Said count fails to allege the violation of any duty owed by the defendant to the plaintiff.
2. Said count fails to allege facts showing the violation of any duty owed by the defendant to the plaintiff.
3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where she had a legal right to be at the time and place complained of.
5. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendant.
6. For that said count fails to allege any causal connection between the alleged negligence of this defendant and the alleged damages of the plaintiff.

LYONS, PIPES & COOK  
Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 30 day of April, 1968, 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.

Augustine Meeker

BY: Walter M. Cook

Walter M. Cook

**FILED**

MAY 1 1968

**ALICE J. DUCK** CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8058

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Denval J. Stamey

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.....

Denval J. Stamey

....., Defendant.....

by Madalyn Alexander

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

Witness my hand this 22nd day of March

1968

Allice J. Luck Clerk

Ex. 3-29-68

No. 8058

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MADALYN ALEXANDER

Plaintiffs

vs.

DENVAL J. STAMEY

Defendants

SUMMONS AND COMPLAINT

Filed March 22, 1968

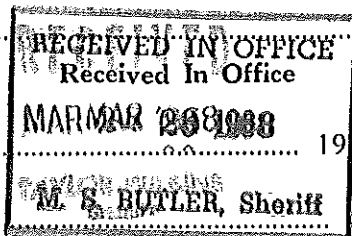
Alice J. Duck Clerk

WILTERS & BRANTLEY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at



Sheriff

I have executed this summons

this 19

by leaving a copy with

Executed by serving 3 copies of  
the within on Mable Amos  
Secretary of State of The State of  
Alabama.

(This the 29 day of Nov. 1968)

Sheriff of Montgomery County

M. S. Butler,

By W. S. Mason, D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 2 process(es) and \$1.00

travel expense on each of 1

process(es) or a total of \$2.50 Sheriff

W. S. Mason Deputy Sheriff  
Deputy Sheriff

10 miles