

Owens and Patton
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April 4, 1968

Mrs. Alice J. Duck
Clerk of Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed is the original and two copies of a suit styled
Alma Cumbie vs. N. H. Dean and Charles N. Dean. I would appreciate
your filing the suit and delivering the same to the Sheriff for
service. Thank you for your aid and consideration in this matter.

Yours very truly,



Walter S. Patton

WSP/mag

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon N. H. Dean and Charles N. Dean to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the complaint of Alma Cumbie.

WITNESS my hand this 4 day of April, 1968.

Alice L. Smith
Clerk

Defendants reside at Little River, Alabama.

* * * * *

ALMA CUMBIE,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
N. H. DEAN and CHARLES)	AT LAW
N. DEAN,)	<i>no. 8086</i>
Defendants.)	

COMPLAINT

The plaintiff claims of the defendants Six Hundred Forty-four Dollars (\$644.00) for that heretofore on to-wit, July 29, 1967, at a point on Alabama Highway 59, 50 feet North of Boone's Grocery Store in Baldwin County, Alabama, the defendant, Charles N. Dean, who was then and there an agent, servant or employee of the defendant, N. H. Dean, acting within the line and scope of his authority as such agent, servant or employee so negligently operated a motor vehicle so as to cause it to run into, upon or against the motor vehicle of the plaintiff which was then and there being operated by William J. Cumbie, Jr., on said Alabama Highway 59 at a place where it had a right to be, and as a proximate result of the negligence of the said defendant, Charles N. Dean, who was then and there an agent, servant or employee of the defendant, N. H. Dean, at said time and place, acting within the line and scope of his authority as such agent, servant or employee, the plaintiff's automobile was

damaged as follows: the left front fender was bent and damaged; the front bumper bar was bent and damaged; the front grill assembly was bent and damaged; the front end of the car was knocked out of alignment; the front hood of the plaintiff's automobile was bent and damaged; the entire front and left side of plaintiff's automobile was bent, broken and damaged, all to her damages as aforesaid, hence this suit.

Walter S. Patton
Attorney for Plaintiff

FILED

APR 8 1968

ALICE J. DICK CLERK
REGISTER

24/4-8-68

7

No. 6086

Alma Cumbie

vs

N. H. Dean and
Charles N. Dean

Received 8 day of April 1968
and on 8 day of April 1968
I served a copy of the within S & C
on N. H. Dean
Charles N. Dean
by service on _____

TAYLOR WILKINS, Sheriff
By W. A. Salter D. S.
Little River
70

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA CLAIM \$1.50 EACH
FOR SERVING 2 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF 2
PROCESS(ES) OR A TOTAL OF \$ 3.00

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 2 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 14.00
PROCESS(ES) OR A TOTAL OF \$ 17.00

FILED

APR 8 1968

ALICE J. DUCK CLERK
REGISTER

W. Patterson

ALMA CUMBIE,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

N. H. DEAN and CHARLES
N. DEAN,

X

AT LAW

X

CASE NO.

Defendants.

X

ANSWER

Comes now the Defendants in the above styled cause
and for answer to the Complainant's Bill of Complaint, says:

1.

That the matters alleged therein are untrue.

2.

That they are not guilty.

WILTERS & BRANTLEY

BY:

Defendants demand a trial
by jury.

[Signature]

FILED

MAY 7 1968

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 7 day of May
1968 served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mail or same by United States
Mail, properly addressed, and postage prepaid.

WILTERS & BRANTLEY

BY: *[Signature]*

ALICE J. DUCK

CLERK
REGISTER

ALMA CUMBIE,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

N. H. DEAN and CHARLES

X

AT LAW

N. DEAN,

X

CASE NO. 1036

Defendants.

X

Comes now the Defendants in the above styled cause and amends their answer by adding the following plea:

3.

That the driver of the Plaintiff's vehicle was guilty of negligence at the time and place described in the complaint, which proximately contributed to her damages; that he so negligently operated the Plaintiff's motor vehicle at said time and place by driving at such excessive speed that he was unable to control the motor vehicle, thereby causing the Plaintiff to suffer her damages as described in the Bill of Complaint.

WILTERS & BRANTLEY

BY: 

Attorneys for the Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16 day of June, 1969 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.

WILTERS & BRANTLEY

BY: 

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER