

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

710-82-27

July

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck

P. O. Box 239

Bay Minette, Ala.

DATE July 22, 1968

Re: Robert F. Padgett vs. R. B. Sanders, Sr.

Dear Mrs. Duck:

Enclosed please find Bill of Complaint to
be filed together with copy of same and
Summons to be served.

Sincerely,

John V. Duck

SIGNED

SIGNED

710-82-27

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Ala.

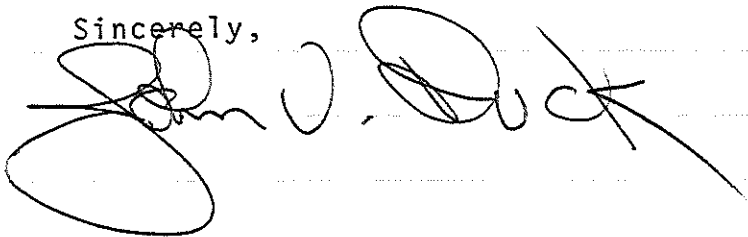
DATE September 23, 1968

Re: Robert F. Padgett vs. R. B. Sanders, Sr.
Civil No. 8227

Dear Mrs. Duck:

As per our phone conversation with Eunice
this date, please non-suit above captioned
case and send me the cost bill.

Sincerely,



SIGNED

DATE

SIGNED

ROBERT F. PADGETT,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
R. B. SANDERS, SR.,)	720-8227
Defendant.)	

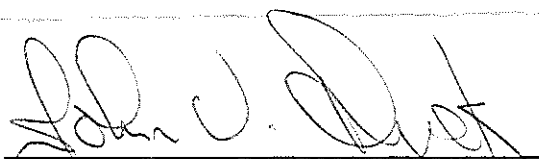
COUNT ONE

Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS as damages, for that heretofore and on, to-wit: the 24th day of September, 1967, the Defendant so negligently operated a motor boat on Blakeley River at a point thereon under the Blakeley River Bridge in Baldwin County, Alabama, in which boat the plaintiff was riding as a passenger, as to cause or allow the boat at high speed and with great violence to run into, upon or against an abuttment on the Blakeley River Bridge, and as a proximate result of such negligence of the Defendant, the Plaintiff was injured in that his right arm and muscles and nerves were crushed, his right eye was cut, his ribs were separated from the rib cage, that the Plaintiff was thereby compelled to incur great sums of money in and about the treatment of his injuries for doctor bills and hospital bills, that he was caused to suffer great pain and anguish, and continues to suffer great pain and mental anguish, he was caused to lose long periods of time from work, and will continue to lose time from his work, that he was permanently injured, all as a result of the negligence of the Defendant as aforesaid, hence this suit.


COUNT TWO

Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS as damages for that, heretofore on, to-wit: the 24th day of September, 1967, the Defendant willfully and wantonly injured the Plaintiff in that on the date and year aforesaid, the Defendant willfully and wantonly operated a motor boat on the Blakeley River at a point thereon under the Blakeley

River Bridge, which was then and there a point in Baldwin County, Alabama, and which boat the Plaintiff was riding in as a passenger, as to willfully and wantonly cause the boat to run into, upon or against an abutment on the said bridge with such great violence that as a proximate result of such wanton misconduct, the Plaintiff was injured in that his right arm, muscles and nerves were crushed, his right eye was cut, his ribs were separated from the rib cage, that he was caused to suffer great pain and anguish and continues to suffer pain and anguish, that he was caused to expend large sume of money in and about the treatment of his injuries for doctor bills, hospital bills and medicines, that he continues to spend large sums of money in and about the treatment of his injuries, that he was caused to lose time from his employment, and that he was permanently injured, all as a result of the willful and wanton misconduct of the Defendant as aforesaid, hence this suit.


ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands a trial by jury.


ATTORNEY FOR PLAINTIFF

FILED

JUL 23 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.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to SummonR. B. SANDERS, SR.

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.....

.....R. B. SANDERS, SR., Defendant.....

byROBERT F. PADGETT
....., Plaintiff.....

Witness my hand this.....23.....day of.....July.....19.68.....

.....*W. J. Jackson*....., Clerk

No. 82-27

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ROBERT F. PADGETT

Plaintiffs

vs.

R. B. SANDERS, SR.

Defendants

SUMMONS AND COMPLAINT

Filed 7-23 1968

Reese J. Duck Clerk

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 1 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 4.00
PROCESS(ES) OR A TOTAL OF \$ 5.50

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Spanish Fort, Alabama

Received In Office

7/23

1968

Taylor Wilkins Sheriff

I have executed this summons

this August 9th 1968
by leaving a copy with

R. B. Sanders, Sr.
Wilson Highten

Taylor Wilkins Sheriff

Ray Randall Deputy Sheriff

583

Marcella's Reitor and
chain link fence 4 15 PM

ROBERT F. PADGETT,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
R. B. SANDERS, SR.,	X	AT LAW NO: 8227
Defendant.	X	

DEMURRER

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and each and every count thereof, separately and severally, and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That the place where the accident occurred is not sufficiently set out.
3. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
4. That it affirmatively appears that the Plaintiff was riding as a guest in a motor vehicle and that the Defendant would not be liable for simple negligence.
5. That Count Two of the Complaint fails to state that the Defendant wilfully and wantonly injured the Plaintiff.

Gibson, Stone & Gibson
Attorneys for Defendant

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 15 day of Aug, 1968.

John Gibson

FILED

AUG 15 1968

ALICE J. DECK

CLERK
REGISTER

ROBERT F. PADGETT,

Plaintiff,

vs.

R. B. SANDERS,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8227

* * * * *

DEMURRER

* * * * *

FILED

AUG 15 1968

ALICE J. DUCK CLERK
REGISTER