

MELTON U. TURNER,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
	X	BALDWIN COUNTY, ALABAMA
WILLIE JOHNSON,	X	AT LAW NO: 8237
Defendant.	X	

MOTION TO STRIKE

Comes now the Plaintiff in the above styled cause and makes this Motion to Strike the Plea of Recoupment contained in the "Amended Answer" heretofore filed by the Defendant in the above styled cause and shows unto Your Honor and unto this Honorable Court the following ground in support thereof:

1. That the claim contained in the Plea of Recoupment is barred by the Statutes of Limitation of one year.

CHASON, STONE & CHASON

By: John Earle Chason

FILED

MAY 4 1969

ALICE J. BUSH CLERK  
REGISTER

MELTON U. TURNER,  
                    plaintiff,  
                    vs.

In The Circuit Court Of  
Baldwin County, Alabama  
Law Side. No. 8237

WILLIE JOHNSON,  
                    defendant.


Amended Answer

Now comes the defendant in the above styled cause and for further answer to the complaint heretofore filed against him amends his answer heretofore filed by adding thereto pleas as follows, to-wit:

2. That the plaintiff himself was guilty of negligence at the time and place described in the complaint, which proximately contributed to his own damages in this; that he so negligently operated his said motor vehicle at said time and place and on said occasion as to cause or allow the same to run into, upon or against a motor vehicle operated by the defendant thereby causing himself, the plaintiff, to suffer the injuries complained of in said complaint.

3. This defendant pleads specially by way of recoupment and claims of the plaintiff, Melton U. Turner, the sum of Four Hundred and no/100 Dollars (\$400.00), as damages, for that heretofore, on to-wit, March 16, 1968, on Highway 45 in Prichard, Mobile County, Alabama, and at the same time and place referred to in the plaintiff's complaint, the said Melton U. Turner negligently drove an automobile into, upon, or against an automobile operated by the defendant and as a proximate consequence of said negligence, said automobile was damaged as follows: the front bumper was bent and damaged, the left front grill was bent, broken and damaged, the left front fender was bent, broken, and damaged, and other parts of said automobile were bent, broken and smashed, and the said automobile was made less valuable.

OWENS & PATTON

By:   
Attorneys for Defendant

I, Walter S. Patton, one of the attorneys of record for the defendant in the foregoing cause do hereby certify that I have caused a copy of the foregoing pleading to be served on John Earle Chason, one of the attorneys of record for the plaintiff, by placing a copy of the same in the United States Mail, properly addressed, with postage prepaid, this the 9th day of May 1969.

Walter S. Patton

**FILED**

MAY 12 1969

**ALICE J. DUCK** CLERK  
REGISTER

MELTON U. TURNER,	)	
	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	
	)	BALDWIN COUNTY, ALABAMA
vs.	)	
	)	LAW SIDE. NO. 8237
WILLIE JOHNSON,	)	
Defendant.	)	

ANSWER:

Now comes the Defendant in the above styled cause and for answer to the complaint heretofore filed against him says:

1. Not guilty.

OWENS AND PATTON

By: *J. Connor Owens, Jr.*  
Attorneys for Defendant.

I, J. Connor Owens, Jr., one of the attorneys of record for the defendant in the foregoing cause do hereby certify that I have caused a copy of the foregoing answer to be served on John Earle Chason, one of the attorneys of record for the plaintiff, by placing a copy of the same in the United States Mail, properly addressed, with postage prepaid, this 26th day of August, 1968.

*J. Connor Owens, Jr.*

FILED

AUG 26 1968

ALICE J. DUCK CLERK  
REGISTER

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Willie Johnson 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 same, then and there to answer the Complaint of Melton U. Turner.

Witness my hand this 16 day of July, 1968.

Price J. Duck  
Clerk

MELTON U. TURNER,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
	X	AT LAW
WILLIE JOHNSON,	X	# 8237
Defendant.	X	

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Three Hundred and Fifty Dollars (\$350.00) as damages for that, heretofore, on, to-wit: the 16th day of March, 1968 at 9:00 P.M. on Highway 45 in Prichard, Mobile County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a motor vehicle belonging to the Plaintiff and as a proximate result of such negligence of the Defendant, the automobile of the Plaintiff was damaged in that its left front fender, left rear door, left rear panel and the left

front wheel were bent, damaged or broken to the damage of the Plaintiff in the sum above mentioned, hence this suit.

CHASON, STONE & CHASON

By:

*John Earl Chason*  
Attorneys for Plaintiff

Defendant's Address:

Star Route, Box 25  
Stockton, Alabama.

**FILED**

JUL 26 1968

**ALICE J. DUCK** CLERK  
REGISTER

# 8237

Received 26 day of July 1968  
and on 26 day of July 1968  
served a copy of the writ on Willie Johnson

by service on \_\_\_\_\_

TAYLOR WILLIAMS, Sheriff  
By W. A. Jackson  
Stockton

TAYLOR WILLIAMS, SHERIFF OF BALDWIN  
COUNTY, ALABAMA, CLAIM \$1.50 EACH  
FOR SERVING 1 PROCESSES AND  
TRAVEL EXPENSE ON EACH OF \$ 2.20  
PROCESSES OR A TOTAL OF \$ 3.70

MELTON U. TURNER,

Plaintiff,

VS.

WILLIE JOHNSON,  
Stockton (Green-McMillen)  
Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

\* \* \* \* \*

SUMMONS AND COMPLAINT

\* \* \* \* \*

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA