

MICHAEL B. LUCASSEN, a minor )  
suing by and through his mother )  
and next friend, Vivian Casalare, )

Plaintiff, )

VS. )

JACK V. ISHEE, )

Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8265

Comes the Defendant in the above styled cause and demurrers  
to the Bill of Complaint and to each count thereof as follows:

I

That said Bill of Complaint does not state the cause of  
action.

II

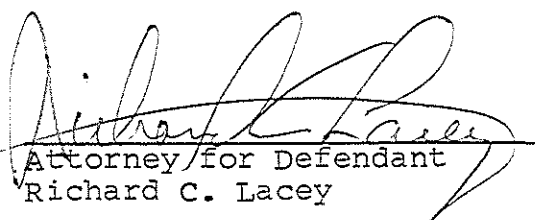
That said Bill of Complaint fails to state with certainty  
the place where the Plaintiff was alleged to have been injured.

III

That said Bill of Complaint fails to show any duty on the  
part of the Defendant to the Plaintiff.

IV

That said Bill of Complaint is multifarious.

  
Attorney for Defendant  
Richard C. Lacey

**FILED**

SEP 17 1968

**ALICE J. DUCK** CLERK  
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Jack V. Ishee 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 Michael B. Lucassen.

WITNESS my hand this 13 day of August, 1968.

Clair J. Luck  
Clerk

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MICHAEL B. LUCASSEN, a minor)		
suing by and through his		
mother and next friend,	)	
Vivian Casalare,	)	IN THE CIRCUIT COURT OF
	)	
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
	)	
VS.	)	AT LAW
	)	
JACK V. ISHEE,	)	CASE NO. <u>8265</u>
	)	
Defendant.	)	

COUNT I

The Plaintiff claims of the Defendant the sum of FIFTY THOUSAND DOLLARS (\$50,000.00) as damages for that heretofore, on to-wit: April 26, 1968, the Plaintiff was driving his motor vehicle along or upon Fairhope Avenue, a public highway in Fairhope, Baldwin County, Alabama, at a point near the driveway of the Defendant's home. At said time and place the Defendant so negligently operated his motor vehicle as to cause or allow it to back upon, into or against the Plaintiff's motor vehicle and as a direct and proximate consequence and result of said negligence, the Plaintiff was injured as follows:

The little finger on his left hand was cut. His left leg was crushed and broken and so severely damaged that it was necessary to amputate his leg. He was caused to suffer severe pain and anguish, both mental and physical. He was caused to lose time from work and to expend great sums of money for hospitalization and doctor and drug bills in the treatment of such injuries. He was permanently injured; hence, this suit.

COUNT II

The Plaintiff claims of the Defendant the sum of FIFTY THOUSAND DOLLARS (\$50,000.00) as damages for that heretofore, on to-wit: April 26, 1968, the Plaintiff was driving his motor vehicle along or upon Fairhope Avenue, a public highway in Fairhope, Baldwin County, Alabama, at a point near the driveway of the Defendant's home. At said time and place the Defendant so willfully and wantonly operated his motor vehicle as to cause or allow it to back upon, into or against the Plaintiff's motor vehicle and as a direct and proximate consequence and result of such willful and wanton act, the Plaintiff was seriously injured as follows:

The little finger on his left hand was cut. His left leg was crushed and broken and so severely damaged that it was necessary to amputate his leg. He was caused to suffer severe pain and anguish, both mental and physical. He was caused to lose time from work and to expend great sums of money for hospitalization and doctor and drug bills in the treatment of such injuries. He was permanently injured; hence, this suit.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley  
Tolbert M. Brantley

The Plaintiff demands a trial by jury.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley

FILED

AUG 13 1968

ALICE J. DUCK

CLERK  
REGISTER

8265

P.H.

26

Jack V. Elshoe  
Dept.

Fairhope Ave  
Dachope

[illegible]

AUG 13 1968

CLERK  
REGISTER

Witters & Brantley

Received 13 day of Aug 1948  
and on 14 day of Aug 1948  
I served a copy of the within RAC  
on Jack T. Baker  
By about  
Ed' Lipe  
JOHN W. KINGS, Sheriff  
By Randall

TAYLOR WILKINS, SHERIFF OF BALDWIN  
COUNTY, ALABAMA, CLAIM \$1.50 EACH  
FOR SERVING 1 PROCESS(ES) AND  
TRAVEL EXPENSE ON EACH OF \$ 2.00  
PROCESS(ES) OR A TOTAL OF \$ 8.50