

JAMES GRIFFIN,

Plaintiff,

vs.

JOHN C. GRAVES,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO:

8458

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 says:

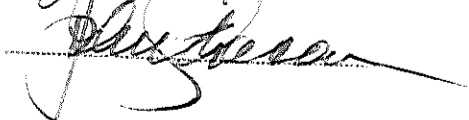
1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
3. That said Complaint does not sufficiently set out the place where the accident occurred.
4. That said Complaint does not set out in what manner the Plaintiff was permanently injured.
5. That Count Three of said Complaint does not sufficiently describe the damages to Plaintiff's automobile.


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 Feb, 1969



JAMES GRIFFIN,

Plaintiff,

vs.

JOHN C. GRAVES,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 8458

DEMURRER

FILED

FEB 17 1969

ALICE J. BOCK
CLERK
REGISTER

JAMES GRIFFIN,

Plaintiff,

vs.

JOHN C. GRAVES,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 8458

Comes the Defendant in the above styled cause and for plea to the Complaint filed in said cause, and each and every count thereof, separately and severally, says:

1. Not guilty.

2. That at the time and place complained of in such complaint, the Plaintiff himself was guilty of negligence which was the proximate cause of his injuries and damages, hence he can not recover of the Defendant in this cause.

James G. Griffin
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 24 day of Oct, 1969

James G. Griffin

FILED

OCT 24 1969

ALICE J. DUCK CLERK
REGISTER

ORIGINAL

STATE OF ALABAMA,)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John C. Graves 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 James Griffin.

WITNESS my hand this 5th day of December, 1968.

Alice D. Spuck.
Clerk

The defendant resides at 1300 Illinois Street, Mobile, Alabama.

* * * * *

JAMES GRIFFIN,
Plaintiff,
VS.
JOHN C. GRAVES,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

C O M P L A I N T

COUNT ONE

Plaintiff claims of the defendant Twenty-five Thousand Dollars (\$25,000.00) for that heretofore on to-wit, March 16, 1968, the defendant so negligently operated an automobile so as to cause it to run into, upon or against an automobile which plaintiff was driving on U. S. Highway 90 in Baldwin County, Alabama, at a place where he had a right to be on Battleship Parkway at a point directly South of "Ben's Bar-B-Q" and as a proximate result of the negligence of the said defendant at said time and place said plaintiff was injured and damaged as follows: he was made sick, sore and extremely nervous; he suffered a whiplash injury of the neck; he suffered multiple contusions of both shoulders; he suffered a hemotoma of the right knee; he suffered contusions of the right and left knee; he was injured and permanently injured as a proximate result of the negligence of the said defendant at the said time and place and was caused to be hospitalized for a long period of time and was caused

to expend large sums of money in and about medical treatment, hospital bills and doctor bills as a result thereof. Plaintiff avers that all of his injuries and damages were the proximate result of the negligence of the said defendant at said time and place, hence this suit.

COUNT TWO

Plaintiff claims of the defendant the sum of Twenty-five Thousand Dollars (\$25,000.00) for that heretofore on to-wit, March 16, 1968, the defendant willfully or wantonly injured the plaintiff by willfully or wantonly driving an automobile into, upon or against an automobile which plaintiff was driving on U. S. Highway 90 in Baldwin County, Alabama, at a place near Spanish Fort at a point directly South of "Ben's Bar-B-Q" and as a proximate result of the willful or wanton negligence of the said defendant at said time and place, the plaintiff was injured and damaged as follows: he was made sick, sore and extremely nervous; he suffered a whiplash injury of the neck; he suffered multiple contusions of both shoulders; he suffered a hemotoma of the right knee; he suffered contusions of the right and left knee; he was injured and permanently injured as a proximate result of the negligence of the said defendant at the said time and place and was caused to be hospitalized for a long period of time and was caused to expend large sums of money in and about medical treatment, hospital bills and doctor bills as a result thereof. Plaintiff avers that all of his injuries and damages were the proximate result of the willful or wanton negligence of the said defendant at said time and place, hence this suit.

COUNT THREE

Plaintiff claims of the defendant Thirty-five Hundred Dollars (\$3500.00) for that heretofore on to-wit, March 16, 1968, the defendant so negligently operated an automobile so as to cause it to run into, upon or against the automobile of plaintiff at a point on U. S. Highway 90 near Spanish Fort, Baldwin County, Alabama, at a point directly South of "Ben's Bar-B-Q" and as a proximate result of the negligence of the said defendant at said time and

place the plaintiff's automobile was bent, broken and damaged. Plaintiff avers that all of his damages at said time and place were the proximate result of the negligence of the said defendant at said time and place, hence this suit.

BURKE & BURKE and
JAMES R. OWEN

By 

Attorneys for Plaintiff

Plaintiff demands a trial by jury of said cause.

BURKE & BURKE and
JAMES R. OWEN

By 

Attorneys for Plaintiff

FILED

DEC 5 1968

ALICE J. DUCK

CLERK
REGISTER

RECEIVED

DEC 2 1963

JAMES WILKINS

RECEIVED

JAN 24 1963

RECEIVED

RECEIVED 12/11/68

Not found in my County either dir-

Ray D. Bridges, Sheriff

W. J. Lewis

RAY D. BRIDGES, Sheriff
By M. R. Bridges, D. A.

Received 27 Day of Jan 1969
at 4 o'clock
on John C. Graves
by service on

CASE NO. 8458

ORIGINAL

JAMES GRIFFIN,

Plaintiff,

VS:

JOHN C. GRAVES,

Defendant

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

BY
DEC 6 2 44 PM '68
MOBILE COUNTY, ALA.
SHERIFF DEPT.

0 miles at
Sheriff's Office
Ten Cents per mile Total \$
JAY TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

Burke & Burke and
James R. Owen, Attys.