

LEONARD D. ROSS,

Plaintiff,

VS

ALBERT M. PHILLIPS, JR.,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

)

) CASE NO.

8463

The Plaintiff claims of the Defendant as damages the sum of SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00) for heretofore and on, to-wit, May 10, 1968, the Defendant did negligently operate an automotive vehicle on and along County Highway 32 at or near its intersection with County Highway 87, both being public roads in Baldwin County, Alabama, in the city limits of Robertsdale, Alabama, as to run upon, over or against the Plaintiff's automobile which the Plaintiff was operating on County Highway 87 at the time and place aforesaid and as a direct and proximate result fo the negligence of the Defendant the Plaintiff sustained injuries about his right shoulder, right knee and right mandible and was caused to be dizzy and suffered dizzy spells and received injuries to his right temple area that affected the vision of his right eye, and the Plaintiff has suffered physical pain and mental anguish and has been made sick and sore and has incurred expense in and about the treatment of his injuries and the Plaintiff alleges that he was gainfully employed at the time of the accident and has lost 15 days from his employment and the Plaintiff's automobile was badly bent, broken or otherwise damaged and the Plaintiff alleges that all damages are the direct and proximate result of the negligence as aforesaid, all for which the Plaintiff sues.

Plaintiff Demands Trial
By Jury.

M. A. Marsal
M. A. MARSAL, Attorney for Plaintiff

M. A. Marsal
M. A. MARSAL, Attorney for Plaintiff

Defendant May Be Served:

Albert M. Phillips, Jr.
Route 1, Box 185
Silverhill, Alabama.

FILED

DEC 1 0 1968

ALICE J. BUCK CLERK
ALICE J. BUCK REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County
No. 8463

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ALBERT M. PHILLIPS, JR.

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

ALBERT M. PHILLIPS, JR.

Defendant.....

by LEONARD D. ROSS

Plaintiff.....

Witness my hand this 10th day of December 1968

Alfred D. Duck
Clerk

12-14-68
241

No. 8463

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LEONARD D. ROSS

Plaintiffs

vs.

ALBERT M. PHILLIPS, JR.

Defendants

SUMMONS AND COMPLAINT

Filed December 10, 1968

Alice J. Duck Clerk

M. A. Marsal

P. O. Box 1746

Mobile, Alabama 36601

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Route 1, Box 185
Silverhill, Alabama

Received in Office

DEC 11 1968

19

TAYLOR WILKINS

Sheriff

I have executed this summons

this 12 Dec 1968

by leaving a copy with

Albert M. Phillips, Jr.

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY *Chadwick*

DEPUTY SHERIFF

Joseph W. Williams, Sheriff

Albert M. Phillips, Jr., Deputy-Sheriff

A. J. Duck

SEALE, MARSAL, SEALE & DUKE

LAWYERS ·

2410 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

HARRY SEALE

M. A. MARSAL

A. J. SEALE

LEON G. DUKE

MAILING ADDRESS

POST OFFICE BOX 1746

432-6686

December 9, 1968

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

Dear Mrs. Duck:

Please file the enclosed complaint.

Thanking you, I am

Very truly yours,

M. A. Marsal
M. A. MARSAL

MAM:mjl

enc

8463

SEALE, MARSAL, SEALE & DUKE

LAWYERS

2410 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

HARRY SEALE

M. A. MARSAL

A. J. SEALE

LEON G. DUKE

JAMES E. ATCHISON

MAILING ADDRESS
POST OFFICE BOX 1746
432-6666

September 4, 1970

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

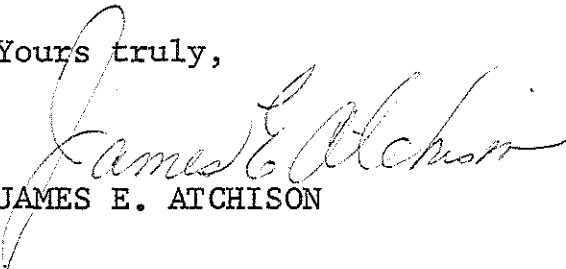
Re: Ross v. Phillips
Case No. 8463

Dear Mrs. Duck:

The above case has been settled. Please dismiss same and mail the bill for cost to Honorable John Chason, attorney for Albert M. Phillips, Jr.

Thanking you, I am

Yours truly,



JAMES E. ATCHISON

JEA:mjm

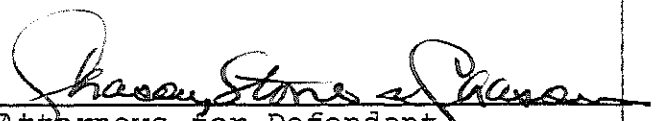
CC: Mr. BOB Burnette

300-15000

LEONARD D. ROSS,	X	
Plaintiff,	X	
	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
		AT LAW NO: 8463
ALBERT M. PHILLIPS,	X	
JR.,	X	
Defendant.	X	

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause 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 sufficiently set out the damages to Plaintiff's automobile.
4. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.


 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 31 day of Dec 1968



FILED

DEC 31 1968

ALICE J. DUCK
 CLERK
 REGISTER

8463

LEONARD D. ROSS,

Plaintiff,

vs.

ALBERT M. PHILLIPS, JR.

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 8463

DEMURRER
