

JEANETTE RUSHING MORRIS, )  
surviving mother of HAZEL )  
MARIE MORRIS, a minor, )  
deceased, )

PLAINTIFF, )

-VS-

PHYLLIS S. NESBIT, as Admin- )  
istratrix of the Estate of )  
STEPHEN D. RADA, deceased, )

DEFENDANT. )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8796

COUNT ONE

Plaintiff claims of the Defendant the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, damages, for that heretofore and on, to-wit: March 30, 1969, the Plaintiff's intestate was riding as a passenger in a motor vehicle being operated by the Defendant's intestate, on U. S. Highway 90 at a point, to-wit, nine tenths miles west of Taylor Still Road, at which point the said U. S. Highway 90 is a public road in Baldwin County, Alabama, and at said time and place the Defendant's intestate wantonly injured the Plaintiff's intestate by wantonly operating said vehicle so as to cause or allow said vehicle to collide with another vehicle, and as a direct and proximate result of the wanton conduct of the Defendant's intestate as aforesaid, Plaintiff's intestate received injuries which proximately caused her death on March 30, 1969, hence this suit.

CUNNINGHAM, BOUNDS & BYRD  
ATTORNEYS FOR PLAINTIFF

BY: Richard B. Bounds  
RICHARD BOUNDS

Plaintiff demands a trial by jury.

Richard B. Bounds  
RICHARD BOUNDS

Trial Attorney: Richard Bounds

Address of Defendant:  
Phyllis S. Nesbit  
Robertsdale, Alabama

VOL 62 PAGE 844

FILED

JUL 11 1969

ALICE J. DUCK  
CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 8796

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Phyllis Nesbit, as adm.

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

Phyllis Nesbit, as adm, Defendant

by Jeanette Rushing Morris, surviving Mother of Hazel Marie Morris

a minor Deceased, Plaintiff

Witness my hand this 11th day of July 1969

*Wing J. Leach* Clerk

24/  
7-30-69

## STATE OF ALABAMA

Baldwin County

## CIRCUIT COURT

JEANETTE RUSHING MORRIS,.....

surviving mother of  
HAZEL MARIE MORRIS, deceased

Plaintiffs

vs.

PHYLLIS NESBIT, as adm.

Defendants

## SUMMONS AND COMPLAINT

Filed 7-11 19. 69

Alice J. Duck Clerk

Cunningham, Bounds &amp; Byrd

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED  
Received In Office

JUL 30 1969 19.....

~~PHYLLIS NESBIT~~ Sheriff

I have executed this summons

this 30-July 19. 69

by leaving a copy with

Phyllis Nesbit, as adm.

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY

H. I. Brown  
DEPUTY SHERIFF

Taylor Wilkins Sheriff

H. I. Brown Deputy Sheriff

30 miles R. T.  
R. Dale

JEANETTE RUSHING MORRIS,  
surviving Mother of  
HAZEL MARIE MORRIS, a  
minor, deceased,

Plaintiff,

vs.

PHYLLIS S. NESBIT, as  
Administratrix of the  
Estate of STEPHEN D.  
RADA, Deceased,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: 8796

DEMURRER

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 said Complaint does not allege any duty owing by the Defendant's intestate to the Plaintiff's intestate.
3. That said Complaint fails to allege whether the Father of the deceased minor is living or dead.
4. That said Complaint fails to properly set out the place where the accident occurred.

CHASON, STONE & CHASON

CERTIFICATE OF SERVICE

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 12 day of Nov., 1969

By: John P. Chason  
Attorneys for Defendant

**FILED**

NOV 12 1969

**ALICE J. DUCK** CLERK  
REGISTER

J.

JEANETTE RUSHING MORRIS, sur-  
viving Mother of HAZEL MARIE  
MORRIS, a minor, Deceased,

Plaintiff,

vs.

PHYLLIS S. NESBIT, as Administra-  
trix of the Estate of STEPHEN  
D. RADA, Deceased,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 8796

\* \* \* \* \*

DEMURRER

\* \* \* \* \*

FILED

NOV 12 1969

ALICE J. DUCK CLERK  
REGISTER

Law OFFICES  
**Cunningham, Bounds and Byrd**  
1350 DAUPHIN STREET  
P. O. BOX 4486

MOBILE, ALABAMA 36604

ROBERT T. CUNNINGHAM  
RICHARD BOUNDS  
ROBERT L. BYRD, JR.  
WARREN L. HAMMOND, JR.

AREA CODE 205  
TELEPHONE 438-6188

January 12, 1970

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


Re: Morris & Harper vs. Nesbitt etc.  
Case No. 8796 - 8811 - 8812

Dear Mrs. Duck:

Please dismiss the above cases on motion of plaintiffs and forward your costs bill to Mr. James H. Johnson, State Farm Insurance Company, 1418 Beltline Highway, Mobile.

Very truly yours,

CUNNINGHAM, BOUNDS & BYRD

  
RICHARD BOUNDS

RB/ac

cc: Mr. James H. Johnson