

ROBERT H. WHEELER,

Plaintiff,

vs.

HAROLD D. JOHNSON,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) LAW SIDE.

) 8816

The Plaintiff claims of the Defendant TWO HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$275.00), as damages for that heretofore, on, to-wit, August 2, 1968, the Defendant, Harold D. Johnson, so negligently operated a motor vehicle on the parking lot at Alabama Dry Dock & Shipbuilding Corporation, in Mobile County, Alabama, so as to cause or allow the same to run into, upon and against a motor vehicle which the Plaintiff was then and there operating, and as a proximate consequence of the negligence of the Defendant, the Plaintiff's automobile was damaged in this: the left front fender, the front grill and front bumper was bent, smashed and torn, all to the damage of the Plaintiff, hence this suit.

James Owens, Jr.
Attorney for Plaintiff.

FILED

JUL 24 1969

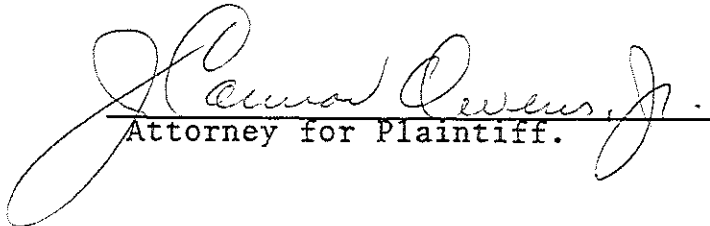
ALICE J. DUCK CLERK
REGISTER

ROBERT H. WHEELER,
Plaintiff,
vs.
HAROLD D. JOHNSON,
Defendant.

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) IN THE CIRCUIT COURT OF
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Attorney for Plaintiff.

FILED

JUL 24 1969

ALICE J. DUCK CLERK
REGISTER

TO THE COURT

FROM THE JURY

WE, THE JURY

IN THE COURT OF THE DISTRICT OF COLUMBIA

DO HEREBY REPORT

TO THE COURT THAT WE HAVE DELIBERATED UPON THE VERDICT IN THE ABOVE ENTITLED CASE

AND HAVE REACHED THE FOLLOWING VERDICT:

THE DEFENDANT IS GUILTY OF THE CHARGE(S) AS SPECIFIED IN THE INDICTMENT.

WE, THE JURY, HAVE ALSO REACHED THE FOLLOWING VERDICT ON THE ISSUE OF DAMAGES:

WE AWARD THE FOLLOWING DAMAGES TO THE PLAINTIFF(S):

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WE, THE JURY, HAVE REACHED THE FOLLOWING VERDICT:

We the jury find that neither party is entitled to a verdict and we tax the court costs equally to both parties —

J. B. Foley
Foreman

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon HAROLD D. JOHNSON
DAPHNE, ALABAMA

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.....

HAROLD D. JOHNSON Defendant.....

by ROBERT H. WHEELER

....., Plaintiff.....

Witness my hand this 24th day of July, 1969

Alice J. Luck Clerk

24/7-29-69

No. 8816

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ROBERT H. WHEELER

Plaintiffs

vs.

HAROLD D. JOHNSON

Defendants

SUMMONS AND COMPLAINT

Filed July 23 1969

Clerk

FILED

JUL 24 1969

J. CONNOR OWENS, JR.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Daphne, Alabama

Received In Office

JUL 24 1969

19.....

Sheriff

I have executed this summons

this 7-29 1969

by leaving a copy with

Harold D. Johnson

Daphne
Sheriff claims 54 miles at

Ten Cents per mile Total \$ 5.40

TAYLOR WILKINS, Sheriff

BY Randall
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Roy Randall Deputy Sheriff

8816

Robert Wheeler vs. Harold Johnson

JURY LIST - FALL SESSION, SEPTEMBER 14, 1970

- ~~1. Abernethy, Thomas V., Jr., Dry Cleaners, Robertsdale~~ D¹
- ~~2. Cabiness, Norvellie, Laborer, Bay Minette~~ P¹
- ~~3. Childress, Julius, Farmer, Robertsdale~~ D²
- ~~4. Cooper, Gilbert, Farmer, Robinson~~ P²
- ~~5. Sanks, Sarah, Housewife, Bay Minette~~ D³
- ~~6. McGill, G. E., Merchant, Perdido~~ P⁴
- ~~7. Quinley, Lyman, Farmer, Bay Minette~~ D⁴
- ~~8. Rhodes, Charles R., Farmer, Foley~~ P⁵
- ~~9. Hester, Horace B., Fairhope~~ P³
- ~~10. Higbee, Rita B., Housewife, Belforest~~
- ~~11. Flowers, Homer, Farmer, Foley~~
- ~~12. Foley, J. B., Industrialist, Foley~~ D¹³
- ~~13. Franklin, Kenneth, Walter, Foley~~ P⁴
- ~~14. Garner, June A., School Teacher, Fairhope~~ D⁸
- ~~15. Golden, Mrs. David, Housewife, Foley~~
- ~~16. Griffiths, Doyle, Foreman, Foley~~ D¹⁶
- ~~17. Hagie, A. R., Employment Service, Foley~~ D¹⁶
- ~~18. Doering, Richard, Tire Store Operator, Foley~~ P¹³
- ~~19. Dufek, Thelma E., Farmer, Bay Minette~~ D⁵
- ~~20. Busch, Thoma J., Jr., Civil Service, Lillian~~ D¹⁴
- ~~21. Burley, H. J., Jr., E. Irwin & Son, Foley~~ P¹⁶
- ~~22. Robertson, Mark, Laborer, Robertsdale~~ D⁶
- ~~23. Robinson, Lawrence T., Farmer, Bay Minette~~ P⁹
- ~~24. Boone, Annie B., Stockton~~ D¹¹
- ~~25. Byrd, Clifton M., Farmer, Perdido~~ P⁵
- ~~26. Baumann, Fred, Civil Service, Elberta~~ P⁸
- ~~27. Bishop, Earnest E., Meat Packer, Fairhope~~ P⁶
- ~~28. Blalock, Greene C., Carpenter, Fairhope~~
- ~~29. Hardy, Wendell B., Salesman, Bay Minette~~
- ~~30. Emmons, Isaac, Farmer, Silverhill~~
- ~~31. Amos, Roy A., Farmer, Foley~~
- ~~32. Armstead, George, Employee Fairhope Hardware, Bayne~~ P⁷
- ~~33. Mikkelsen, Einar, Farmer, Summerdale~~
- ~~34. Phillips, Mayben, Farmer, Little River~~
- ~~35. Picotti, Anthony, Farmer, Fairhope~~ P⁹
- ~~36. Plovanich, Matthew, Reserve Fleet, Perdido~~ P¹¹
- ~~37. Moorer, Eunice, Courthouse, Bay Minette~~
- ~~38. Nelson, Martin, Cleaners, Fairhope~~
- ~~39. Orem, Harley, Brookleaf Field, Bay Minette~~ D⁷
- ~~40. Parker, Thomas, Meat Cutter, Perdido~~ P¹²
- ~~41. Lee, Cecil E., Farmer, Gateswood~~ D¹⁵
- ~~42. Kochler, Frank, Farmer, Lillian~~ D¹²
- ~~43. Gilbert, Jimmy, Insurance, Robertsdale~~
- ~~44. Hobbs, W. D., Farmer, Robinson~~ D¹⁰
- ~~45. Germany, Ruth, Saleslady, Foley~~
- ~~46. McLean, James K. Jr., Hotel Official, Fairhope~~ P¹⁰
- ~~47. Anderson, Arthur, Machinist, Foley~~

P. XXXXX XXXXX XXXXX X

D. XXXXX XXXXX XXXXX X

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ROBERT H. WHEELER,)
Plaintiff,)
vs.)
HAROLD D. JOHNSON,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 8816

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

1. "Not guilty".

2. That at the time and place claimed of in the Bill of
Complaint, the Plaintiff himself was guilty of negligence which
was the proximate cause of his damages, hence he cannot recover
in this suit.

3. The Defendant, by way of recoupment, claims of the
Plaintiff the sum of ONE HUNDRED (\$100.00) DOLLARS as damages for
that heretofore on, to-wit: the 2nd day of August, 1968, the
Plaintiff negligently operated a motor vehicle on the parking lot
at Alabama Dry Dock and Shipbuilding Corporation in Mobile County,
Alabama, so as to cause or allow the same to run into, upon and
against the motor vehicle which the Defendant was then and there
operating, and as a proximate consequence of the negligence of
the Plaintiff, the Defendant's automobile was damaged in this, his
right front fender and front grill were bent, smashed and torn,
all to the damage of the Defendant in the sum above mentioned.


ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel
for the opposing party in the foregoing matter with a copy
of this pleading by depositing in the United States Mail
a copy of same in a properly addressed envelope with
adequate postage thereon.

This 9 day of September 1970


Attorney for Defendant

FILED

SEP 10 1970

ALICE J. DUCK CLERK
REGISTER

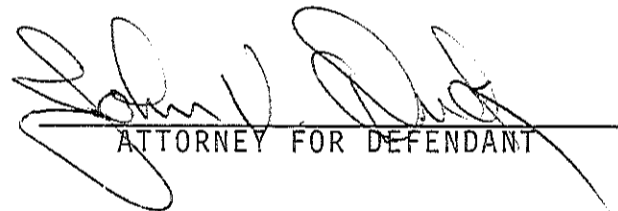
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IN THE CIRCUIT COURT OF
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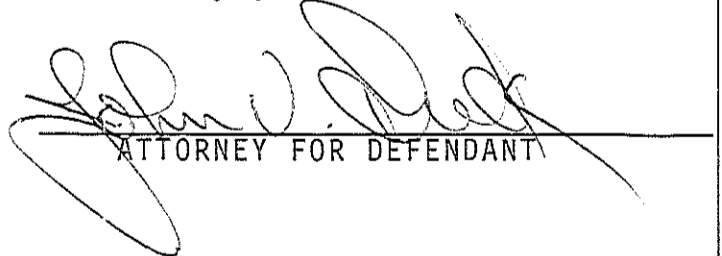
DEMURRER

Comes now the Defendant in the above styled cause, and demurs to the Bill of Complaint filed herein and for grounds thereof assigns the following separately and severally:

1. That said Bill of Complaint does not state a cause of action.
2. That said Bill of Complaint does not show a duty owing from the Defendant to the Plaintiff.
3. That said Bill of Complaint does not allege with certainty the place of the said purported accident.
4. That said Bill of Complaint does not allege fact sufficient to apprise the Defendant with certainty of the damages suffered by Plaintiff's said automobile.


ATTORNEY FOR DEFENDANT

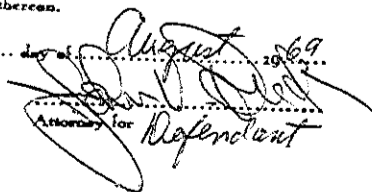
Defendant respectfully demands a trial by jury.


ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 7th day of August, 1969


Attorney for Defendant

FILED

AUG 11 1969

ALICE J. DUCK CLERK
REGISTER