

Plaintiff's Requested Charge No 1

I charge you ladies and gentlemen of the jury that the driver of a vehicle entering a public highway from a private road or drive shall yield the right of way to all vehicles approaching on such public highway.

denied

Plaintiff's Requested Charge No 2

I charge you that the driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected at an entrance to a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard.

denied

Plaintiff's Requested Charge No 3

I charge you ladies and gentlemen of the jury that the highway department and local authorities are authorized to designate main traveled highways or through highways by erecting at the entrances thereto from intersecting highways, signs notifying drivers of vehicles to come to a full stop before entering or crossing such designated highways, and whenever any such signs have been so erected it shall be unlawful for the driver

of ANY VEHICLE to fail to stop in
obedience thereto.

denied

Plaintiff's Requested Change No. 4

The driver of a vehicle entering a
public roadway shall yield the
right of way to all vehicles approaching
on said roadway. ~~Deny~~ Denied 9/15/00

1.

I charge you, ladies and gentlemen of the jury, that in Alabama, the law, with respect to the speed with which a vehicle may be driven says that any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other conditions then existing and no person shall drive any vehicle upon a highway at such speed as to endanger the life, limb, or property of any person. I further charge you that if you are reasonably satisfied from all of the evidence in this case that the Plaintiff, Billy Ray Nordan, at the time and place complained of in his Complaint was driving his vehicle in such manner as to violate this regulation then such operation of said vehicle by him would constitute negligence and if you are further reasonably satisfied from all the evidence in the case that such negligence existed, and that such negligence proximately contributed to the Plaintiff's injuries in this case, then you should not find for the Plaintiff in this case.

Defendants Charge . 1

Denial

I charge you Ladies and Gentlemen of the jury that any person driving a vehicle on a highway shall drive the same at a careful and prudent speed, not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing. And no person shall drive any vehicle upon a highway at such speed as to endanger the life, limb or property of any person. I further charge you that when a driver shall approach an intersection of highways that the speed limit is 15 MPH if his view of the intersection is obstructed. I further charge you that a driver's view of an intersection is obstructed when, at any time during the last 50 feet of his approach to such intersection, he does not have a clear and uninterrupted view of such approach to such intersection and of the traffic upon all of the highways entering such intersection for a distance of 200 feet from such intersection. I further charge you that if you are reasonably satisfied from all of the evidence in this case that the Plaintiff in this case was exceeding 15 MPH when he approached within 50 feet of the intersection of the highways where this accident happened and if you are further reasonably satisfied that his view of such intersection was obstructed

as above defined, then I charge you that the Plaintiff was in violation of this rule of the road and I further charge you that if you are reasonably satisfied from the evidence in this case that the violation of this rule of the road proximately caused or proximately contributed to the injuries allegedly suffered by the Plaintiff, then you should not find in favor of the Plaintiff.

Defendant's Charge No. 2

GIVEN

DENIED

2.

I charge you, gentlemen of the jury, that if you are reasonably satisfied from all the evidence in this case that the Plaintiff, Billy Ray Nordan, was, at the time and place in question, driving a truck towing a trailer without having the brakes of said trailer connected and if you are further reasonably satisfied from such evidence that this condition was known to the Plaintiff or in the exercise of reasonable care should have been known to him and that a reasonably careful and prudent person would not operate a truck under such circumstances, and if you are further reasonably satisfied from such evidence that the failure to have such brakes connected proximately contributed to the accident and injuries suffered by the Plaintiff in this case, then you should not find a verdict in favor of the Plaintiff.

Defendants Charge 3

~~Am~~ dated 8/7/77