

SUMMONS AND COMPLAINT

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to Summon Norman Ralph Stack and Mrs. E. R. Burt 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 Norman Ralph Stack and Mrs. E. R. Burt, Defendants by Junita W. Redmond, Plaintiff.

Witness my hand this 12 day of January, 1966.

Alice J. Duck
Clerk

+++++

^A
JUNITA W. REDMOND,
^A
Plaintiff,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Vs.

NORMAN RALPH STACK,
and MRS. E. R. BURT,

AT LAW

6825

Defendants.

COUNT ONE:

Plaintiff claims of the Defendants the sum of ONE HUNDRED TWENTY-EIGHT and 76/100 (\$128.76) DOLLARS as damages, for that heretofore, on, to-wit, 26 April, 1965, at about 7:30 A.M., while plaintiff was operating her vehicle upon Pine Grove Road, approximately four to eight miles from Bay Minette, in Baldwin County, Alabama, the defendant Norman Ralph Stack, acting as agent, servant or employee of the Defendant Mrs. E. R. Burt, and while acting within the line and scope of such employment, so negligently the motor vehicle of the Defendant, Mrs. E. R. Burt, so as to run it into, upon or against the vehicle being operated by the plaintiff, and as a proximate result thereof, the vehicle being operated by plaintiff was bent, smashed, and broken for all of which Plaintiff claims the damages as aforesaid.

Both Defendant's Address:
201 - 3rd Street
Bay Minette, Alabama

Kenneth Cooper
Plaintiff's Attorney

received 12 day of Jan 1966
and on 13 day of Jan 1966
served a copy of the within
on Norman Ralph Stack
and Les. T. H. Burt

By service on _____
TAYLOR WILKINS, Sheriff
By W. O. Talbot D.S.

om

CASE NUMBER 6825

JANITA W. REDMOND
Plaintiff

vs.

NORMAN RALPH STACK
and LES. T. H. BURT

Defendants.

IN THE CIRCUIT COURT OF

SEVENTH COUNTY, ALABAMA

AT LAW

FILED

JAN 12 1966

ALICE L. DICK

KENNETH COOPER
ATTORNEY AT LAW

09 EASPIE STREET
BAY MINETTE, ALABAMA

JUANITA W. REDMOND, X
Plaintiff, X IN THE CIRCUIT COURT OF
vs. X
BALDWIN COUNTY, ALABAMA
NORMAN RALPH STACK and X
MRS. E. R. BURT, X
X AT LAW NO. 6820
Defendants. X

DEMURRER

Come now the Defendants in the above styled cause, separately and severally, by their attorneys and demur to the Complaint heretofore filed against them in the above styled cause and assign the following separate and several grounds in support thereof:

1. The Complaint fails to state a cause of action.
2. The Complaint fails to allege that the road upon which the Plaintiff's vehicle was operated is a public road in Baldwin County, Alabama.
3. The Complaint does not allege with sufficient certainty the location of the alleged accident.
4. The Complaint fails to allege that either of the Defendants operated the motor vehicle of the Defendant, Mrs. E. R. Burt.
5. The Complaint fails to allege that either Defendant negligently did any act or negligently failed to do any act which proximately caused the injuries alleged by the Plaintiff.
6. The Complaint fails to sufficiently allege the damages alleged to have been suffered by the Plaintiff.

CHASON, STONE & CHASON

FILED

FEB 1966

AIDE L. DICK, CLERK
REGISTER

By:

John Earl Chason
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed a copy of the foregoing Demurrer to Honorable Kenneth Cooper, Attorney for Plaintiff, in an envelope properly addressed to him at his office in Bay Minette, Alabama, with postage prepaid.

CHASON, STONE & CHASON

By:

John Earle Chason
Attorneys for Defendants

FILED

ALICE J. BARKER
CLERK
BAY MINETTE, ALABAMA

JUANITA W. REDMOND,
Plaintiff,
Vs.

NORMAN RALPH STACK,
and MRS. E. R. BURT,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 6820

AMENDED COMPLAINT

Comes now the Plaintiff in above-styled cause, and amends her Complaint heretofore filed in this cause to read as follows, to-wit:

COUNT ONE

Plaintiff claims of the Defendants the sum of One Hundred Twenty-Eight and 76/100 (\$128.76) Dollars as damages, for that heretofore, on, to-wit, 26 April, 1965, at about 7:30 A.M., while Plaintiff was operating the motor vehicle in which she was riding upon Pine Grove Road, a public road approximately four to eight miles from Bay Minette, Baldwin County, Alabama, the Defendant, Norman Ralph Stack, while operating a motor vehicle owned by the Defendant, Mrs. E. R. Burt, and while acting as the agent, servant, or employeed of the said Defendant, Mrs. E. R. Burt, and while acting within the line and scope of such employment, so negligently operated the said motor vehicle so as to run it into, upon, or against the motor vehicle being operated by the Plaintiff and as a proximate result of said negligence, the vehicle operated by the Plaintiff was bent, dented, smashed and broken, for all of which the Plaintiff claims the damages aforesaid.

Kenneth Coyle
ATTORNEY FOR PLAINTIFF

I hereby certify that I have served a copy of the foregoing AMENDED COMPLAINT upon Hon. John Earle Chason, by personally delivering same to him at his office in Bay Minette, Alabama, on this the 12 day of October, 1967.

FILED

OCT 12 1967

ALICE J. DUCK CLERK
REGISTER

Kenneth Coyle
ATTORNEY FOR PLAINTIFF

16

16