

LINDA CHANCEY, a minor,
suing by and through
ROY T. CHANCEY, her
Father and next friend,

Plaintiff,

vs.

CLARA LANETTE FULFORD,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE 8886

Comes now the Defendant in the above styled cause, by
and through her Attorney of Record and for plea to the complaint
heretofore filed against her in said cause, shows unto the Court,
separately and severally, as follows:

1. Not guilty.

CHASON, STONE & CHASON

By:

John E. Chason

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 22 day
of Nov., 1970

John E. Chason

FILED

MAY 22 1970

4886

FILED

MAY 22 1970

ALICE J. DUCK CLERK
REGISTER

LINDA CHANCEY, a minor
suing by and through
ROY T. CHANCEY, her
Father and next friend,

Plaintiff,

vs.

CLARA LANETTE FULFORD,

Defendant.

X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF

BLADWIN COUNTY, ALABAMA

AT LAW

NO: 8886

APPOINTMENT OF GUARDIAN AD LITEM

It appearing to the Court that the Defendant in the above styled cause, Clara Lanette Fulford, is a minor nineteen years of age and that a guardian ad litem should be appointed by the Court to represent and defend her interests in the above styled cause, it is, therefore,

ORDERED, ADJUDGED and DECREED that John Earle Chason of the firm of Chason, Stone & Chason, Bay Minette, Alabama, is hereby appointed guardian ad litem of the said Clara Lanette Fulford for the purpose of defending the action brought against her in said cause.

Done this 24th day of November, 1969.

J. Earle Chason
Circuit Judge

FILED

NOV 24 1969

ALICE J. B.

LINDA CHANCEY, a
minor suing by and
through ROY T.
CHANCEY, her Father
and next friend,

Plaintiff,

vs.

CLARA LANETTE FULFORD,

Defendant.

X

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: 8886

DEMURRER:

Comes now the Defendant in the above styled cause, by and through her attorneys of record, and demurs to the Complaint heretofore filed against her in said cause and assigns the following separate and several grounds in support thereof:

1. That said Complaint does not state facts sufficient to constitute a cause of action against this Defendant.
2. For that the wanton conduct therein alleged is merely a conclusion of the pleader.
3. For that said Complaint is vague, indefinite and uncertain and that it does not apprise this Defendant with sufficient certainty against what wanton act or acts the Defendant is called upon to defend.
4. For that it does not appear with sufficient certainty what duty, if any, this Defendant may have owed to the Plaintiff.
5. For that it does not appear with sufficient certainty wherein this Defendant violated any duty owing by her to the Plaintiff.
6. For that it does not sufficiently appear that the Defendant owed any duty to the Plaintiff which the Defendant failed to perform.
7. For that the allegations of said Complaint do not show a wanton injury inflicted upon the Plaintiff.

8. For that the allegations of the Complaint do not show sufficient causal connection between this Defendant's alleged wanton conduct and the Plaintiff's injuries.

9. No facts are alleged to show that the Plaintiff sustained any wanton injuries as the proximate result of any wanton act on the part of this Defendant.

10. It is not alleged with sufficient certainty where said accident occurred.

11. It is not alleged that the wanton conduct complained of proximately caused the accident and the injuries and damages complained of.

12. There is no allegation of a wanton act committed by this Defendant.

13. For that said Complaint does not sufficiently advise the Defendant of the injuries suffered by the Plaintiff.

CHASON, STONE & CHASON

By: John Earle Chason

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 3 day of October, 1968.

John E. Chason

FILED

OCT 3 1968

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA)
COUNTY OF BALDWIN)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon Clara Lanette Fulford, a minor, 19 years of age and Alden Fulford, her father, to appear in the Circuit Court of Baldwin County, Alabama at the place of holding the same, within thirty (30) days from service of this writ, then and there to answer the complaint of Linda Chancey, a minor, suing by and through Roy T. Chancey, her father and next friend.

Witness my hand this 19 day of Sept., 1969.

Circuit Clerk

* * * * *

LINDA CHANCEY, a minor,
suing by and through
ROY T. CHANCEY, her father
and next friend,

Plaintiff,

vs.

CLARA LANETTE FULFORD,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO.

Plaintiff claims of the Defendant, a minor, the sum of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS as damages for that heretofore and on to-wit the 24th day of January, 1967, the Defendant wantonly injured the Plaintiff by so wantonly operating a motor vehicle southwardly on Oak Street at or near its intersection with Roosevelt Street, both public streets in the City of Foley, Alabama, so as to cause same to collide with a vehicle being driven by one, Carl William Daugherty, which said vehicle was then and there proceeding in a westwardly direction/at said time and place, and so as to cause the Plaintiff, a minor, 17 years of age, who was then and there riding as

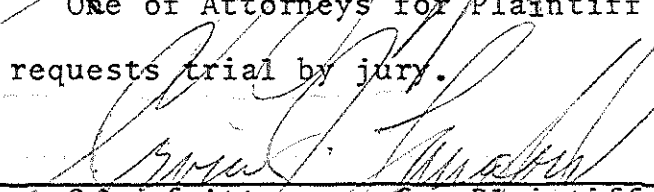
a passenger and invited guest in the Fulford vehicle to receive the injuries and damages hereinafter set forth; and Plaintiff avers and alleges that as a direct and proximate result of the Defendant's wantonness as aforesaid, Plaintiff was seriously and permanently injured, was made sick and sore, was caused to suffer great mental anguish, her scalp was injured, she received fractures of her thoracic vertebrae and likely will continue in the future to suffer pain and mental anguish; that she was permanently disabled, suffered abrasions, contusions and lacerations in and about her body, head, neck, legs and arms, suffered a cerebral concussion, was confined to the hospital for a long period of time, all to the Plaintiff's injuries, hence this suit.

HOWELL, JOHNSTON, LANGFORD & FINKBOHNER
Attorneys for Plaintiff

By: 

One of Attorneys for Plaintiff

Plaintiff respectfully requests trial by jury.


One of Attorneys for Plaintiff

Defendant may be served
at Bon Secour, Alabama.

The Plaintiff suggests to the Court that since the Defendant is a minor, the Court should appoint a guardian ad litem to represent her in this cause.


Attorneys for Plaintiff

FILED

SEP 19 1969

ALICE J. DUCK

CLERK
REGISTER

8886

Linda Chaney, a
minor etc.

vs.

Clara Bennett Hulford

949648

FILED

SEP 19 1969

CLERK
REGISTER

Howell, Johnston, Langford
+ Finkbeiner

Sheriff claims 86 miles at
Ten Cents per mile Total \$ 8.60
TAYLOR WILKINS, Sheriff
BY Eastburn
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff
BY McCallum
Bon Secour, etc. 86

Received 19 day of Sept 1969
and on 25 day of Sept 1969
I served a copy of the within MC
on Clara Bennett Hulford
By service on Clara Bennett Hulford