

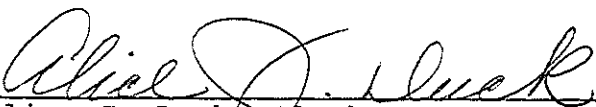
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Ernest G. Koch, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the Complaint of John Foster Childress.

Witness my hand, this the 3rd day of October, 1969.


Alice J. Duck, Clerk

JOHN FOSTER CHILDRESS,	X	
		IN THE CIRCUIT COURT OF
Plaintiff,	X	
		BALDWIN COUNTY, ALABAMA
vs.	X	
		AT LAW
ERNEST G. KOCH,	X	
		CASE NO. <u>8914</u>
Defendant.	X	

1.

The Plaintiff claims of the Defendant, the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS as damages, for that heretofore on, to-wit: the 7th day of October, 1968, at the intersection of Dixie Road and Highway #59 in Baldwin County, Alabama, the Plaintiff was driving a motor vehicle on said highway, a place where he had a right to be, and while he was driving along said highway, the Defendant negligently drove a motor vehicle into the Plaintiff's motor vehicle, and as a direct, proximate result of the Defendant's negligence, the plaintiff was injured and damaged as follows: He sustained serious lacerations of the right knee, contusion of the left knee and chest, he received a fracture of a vertebrae; he was bruised and wrenched and sprained about the body and his whole physical being was shaken and shocked, and he was made sick and sore, and was caused to suffer great physical and mental anguish, he received permanent injuries of the aforementioned negligence of the Defendant, he was caused to lose time from work and incurred

expenses in and about acquiring doctors, medicine, medical aid and attention and treatment of said injuries, all a result of the Defendant's negligence.

WILTERS & BRANTLEY

BY:

Ray J. Wilters, Jr.

Defendant's address is:

Greeno Road
Fairhope, Alabama

FILED

OCT 3 1969

ALICE J. DUCK

CLERK
REGISTER

*Returned
Deceased*

Returned 10/11/69
Deceased

(Green Rd
has passed away)

Received 30 day of Oct 1969
and on day of 19
I served a copy of the within doc
on Ernest G. Koch

By service on
TAYLOR WILKINS, Sheriff
By D. S.

8914

John Foster Childress

vs.

Ernest G. Koch

FILED

OCT 3 1969

ALICE J. DUCK CLERK
REGISTER

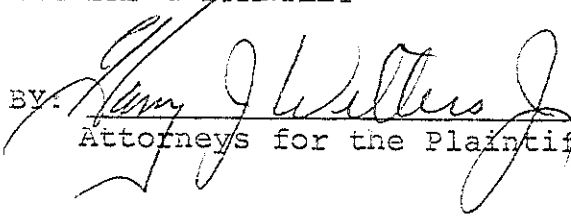
Wilters + Brantley

JOHN FOSTER CHILDRESS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
ERNEST G. KOCH,	X	AT LAW
Defendant.	X	CASE NO. 8914

Comes now the Plaintiff in the above styled cause and shows unto the Court that on the 3rd day of October, 1969, he commenced the above styled cause by filing a Summons and Complaint with the Clerk of the Court, and that prior to service upon the Defendant, he passed away, a resident of Baldwin County, Alabama; Plaintiff further shows unto the Court that until the 5th day of February, 1970 no representative of his estate had been appointed, and that on that date Phyllis Nesbit, as the General Administratrix for Baldwin County, Alabama, was issued letters testamentary of the estate of Ernest G. Koch, deceased, and duly qualified as such.

Plaintiff prays that Your Honor will issue an order making the said Phyllis Nesbit, as Administratrix of the Estate of Ernest G. Koch, deceased, a party Defendant to this action, and that this cause be revived against her as the Administratrix of the estate of Ernest G. Koch, deceased; further that she be required, within thirty days from the service of this writ, to appear in the Circuit Court to be held for said County, at the place of holding the same, then and there to answer the Complaint of John Foster Childress.

WILTERS & BRANTLEY

BY: 
Attorneys for the Plaintiff

FILED

FEB 5 1970

ALICE J. DUCK CLERK
REGISTER

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ORDER

It having been suggested to the Court that the Defendant, Ernest G. Koch, departed this life on the 11th day of October, 1968, a resident of Baldwin County, Alabama, and further that Phyllis Nesbit was duly appointed Administratrix of the decedent's estate, it is, therefore, ORDERED that the Clerk of the Circuit Court of Baldwin County, Alabama, issue a summons to the said Phyllis Nesbit, Administratrix of the estate of Ernest G. Koch, deceased, to appear within thirty days after service of this writ in the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the Complaint of John Foster Childress.

Done this the 5th day of February, 1970.

Joseph J. Mashburn
Circuit Judge

STATE OF ALABAMA

BALDWIN COUNTY

TO: PHYLLIS NESBIT, ADMINISTRATRIX OF THE ESTATE OF ERNEST G. KOCH,
DECEASED:

You are hereby commanded to appear within thirty days after the service of this writ and the attached Complaint in the Circuit Court to be held for said County, at the place of holding the same, then and there to answer the Complaint of John Foster Childress.

Witness my hand this the 5 day of February, 1970.

Alice J. Duck
Clerk,

FILED

FEB 5 1970

ALICE J. DUCK

CLERK
REGISTER

70,8914

John Fortis Guadalupe

VS

Ernest H. Rock

FILED

FEB 5 1970

ALICE J. DUFFY CLERK
REGISTER

Walter Brantly

Received 5 day of January 1970
and on 5 day of Feb. 1970
I served a copy of the within A.E.C.
on Rayliss T. Whit
By service on Rayliss T. Whit

TAYLOR WILKINS, Sheriff
By Thomas M. Byrd D.S.