ETHEL F.THOMAS,

Plaintiff,

Vs

PRINCE E.GRIFFEN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 8975

AT LAW

ANSWER

Comes now the Defendant in his own proper person in the above styled cause, and for Answer to the Bill of Complaint filed herein, assigns the following separately and severally, as to the two counts thereof:

Count One

The Defendant denies each, every and all of the allegations of said Bill of Complaint, and demands strict proof thereof.

Count Two

The Defendant denies each, every and all of the allegations of said Bill of Complaint, and demands strict proof thereof.

And further, Defendant avers that the Plaintiff has brought this suit with malice aforethought, and without probable cause therefor, to cause personal injury, harassment and vexation against the Defendant; and the Defendant represents to this Honorable Court that he has in fact suffered personal injury, harassment and vexation, and losses of time and money, proceeding from the Plaintiff's said action, for which the Defendant cross-claims the sum of FIVE THOUSAND DOLLARS damages therefor, and claims punitive damages herein.

Prince E. Griffin

Prince E.Griffin

Defendant respectfully demands trial by jury.

Prince E. Griffin

Prince E.Griffin

Dated this the ~~1st~~ 26th day of ~~December, 1969~~ November 1969.

FILED

NOV 26 1969

ALICE J. BECK CLERK REGISTER

ETHEL F. THOMAS	:	IN THE CIRCUIT COURT OF
PLAINTIFF,	:	BALDWIN COUNTY, ALABAMA
VS.	:	AT LAW
PRINCE E. GRIFFEN,	:	
DEFENDANT.	:	CASE NO: 8975

DEMURRER

Comes now Prince E. Griffen and files this demurrer to the plaintiff's complaint and sets down and assigns the following grounds separately and severally.

1. The plaintiff has failed to state a cause of action against the defendant in his complaint.

2. The plaintiff has failed to allege that any damage or injury she suffered was probably caused by the defendant.

3. The allegations alleged in the plaintiff's complaint are mere conclusions of the pleader.

Taylor Wilkins, Jr.
Attorney for Defendant

Defendant respectfully demands a trial of this cause by jury.

Taylor Wilkins, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 4 day of Dec 1969 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.

FILED

DEC 24 1969

ALICE J. Duck

8225

ETHEL F. THOMAS,	:	IN THE CIRCUIT COURT OF
PLAINTIFF,	:	BALDWIN COUNTY, ALABAMA
VS	:	AT LAW
PRINCE E. GRIFFEN,	:	
DEFENDANT.	:	CASE NO: 8975

PLEA

Comes now the defendant, PRINCE E. GRIFFEN, separately and severally, and files this plea to the plaintiff's complaint and to each count thereof separately and severally:

I

The defendant denies each and every allegation of the plaintiff's complaint and demands strict proof thereof.

II

The defendant for further answer to plaintiff's complaint avers that the plaintiff has failed to suffer any damage and has caused the defendant to defend said cause, thereby causing loss of time and money from his employment, and that the complaint is brought for the purpose of wrongfully and maliciously harassing the defendant, and for which the plaintiff claims punitive damages.

Taylor Wilkins, Jr.
Attorney for Defendant

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I have on this the 14 day of September, 1970, forwarded a true and exact copy of the foregoing plea to Mr. John V. Duck, attorney of record for the plaintiff, by mailing the same in the United States Post Office, properly addressed, with the postage paid thereon.

Done this the 14 day of September, 1970.

Taylor Wilkins, Jr.
Attorney for Defendant

FILED
SEP 15 1970
ALICE J. DUCK CLERK REGISTER

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

MESSAGE | REPLY

TO Mrs. Alice J. Duck
Bay Minette, Ala.

DATE October 30, 1969

Re: Ethel F. Thomas vs. Prince E. Griffen

Dear Mrs. Duck:

Enclosed please find Bill of Complaint to be filed, together with copy of same and Summons to be served.

Sincerely,

John V. Duck
(RH)

SIGNED

DATE

8975

SIGNED

THIS COPY FOR PERSON ADDRESSED

ETHEL F. THOMAS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
PRINCE E. GRIFFEN,	)	8975
Defendant	)	

COUNT ONE

Plaintiff claims of the Defendant the sum of FIVE THOUSAND ($5,000.00) DOLLARS as damages for that heretofore on, to-wit: the 22nd day of September, 1969 the Defendant wrongfully, vexatiously and maliciously caused to be issued out of the Justice Court of Lanier P. Angle in Fairhope, Alabama, a Writ of Garnishment against Plaintiff, and caused the same to be served on the Grand Hotel Company, when in fact, there is no Grant Hotel Company, but in fact the Grand Hotel Development Corporation, Plaintiff's employer, for the purpose of harassing Plaintiff, and Plaintiff avers that, by reason of such wrongful issuance and service of such Garnishment as aforesaid, she has suffered the following damages and injuries: That she has become nervous and upset, that she is now under a doctor's care for a nervous disorder, that the Grand Hotel Development Corporation is now withholding the sum of ONE HUNDRED SIXTY-SEVEN AND 51/100 ($167.51) DOLLARS from her wages, that she was caused great humiliation, was caused to spend money for fees of an attorney, to lose time from her work because of the emotional upset, and to be put into a bad light with her employer, and the Plaintiff claims punitive damages.

COUNT TWO

Plaintiff claims of the Defendant the sum of FIVE THOUSAND ($5,000.00) DOLLARS as damages, and as cause of action, avers that the Defendant procured and had issued from the Justice Court of Lanier P. Angle, a Justice of the Peace in Precinct Ten, Baldwin County, Alabama, a Writ of Garnishment on, to-wit: the 22nd day of September, 1969, and had the same levied and served against the Plaintiff's wages in the hands of and owing to the Plaintiff by the Grand Hotel Development Corporation, Garnishee, under the

name and style of a suit in said Justice Court aforesaid, Prince E. Griffen, Assignee of First National Bank of Fairhope, Alabama, Plaintiff, vs. Ethel F. Thomas, Defendant, Grand Hotel Company, Garnishee, and the Plaintiff avers that at the time of said Writ of Garnishment being issued, the Plaintiff did not owe the Defendant any sum, and that the Defendant knowingly, wilfully or intentionally procured said Writ of Garnishment to be issued and levied upon the Plaintiff's wages for the purpose of extorting from her money to about the sum of ONE HUNDRED SIXTY-SEVEN AND 51/100 ($167.51) DOLLARS to the Plaintiff's damages in this: That she has become nervous and upset, that she is now under a doctor's care for a nervous disorder, that the Grand Hotel Development Corporation is now withholding the sum of ONE HUNDRED SIXTY-SEVEN AND 51/100 ($167.51) DOLLARS from her wages, that she was caused greal humiliation, was caused to spend money for fees of an attorney, to lose time from her work because of the emotional upset, and to be put into a bad light with her employer, and the Plaintiff claims punitive damages.

ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands a trial by jury.

ATTORNEY FOR PLAINTIFF

FILED

NOV 4 1969

ALICE J. DUCK CLERK REGISTER

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 .....PRINCE E. GRIFFEN.....

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.....

PRINCE E. GRIFFEN ..... Defendant.....

by ETHEL F. THOMAS

..... Plaintiff.....

Witness my hand this 4 day of November 1969

Alice J. Werk Clerk

4/11-5-69

No. 8975 Page.....

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ETHEL F. THOMAS
.....
Plaintiffs

vs.

PRINCE E. GRIFFEN
.....
Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

NOV 4 1969 Clerk

ALICE J. DUCK CLERK REGISTER

JOHN V. DUCK
.....
Plaintiff's Attorney

.....
Defendant's Attorney

Defendant lives at
Griffen Standard Service Station
corner Fairhope Ave. & Church
St., Fairhope, Ala.

RECEIVED
Received in Office
NOV. ~~OCT~~ 4 1969 19.....

[redacted] Sheriff

I have executed this summons
this 5 Nov. 1969
by leaving a copy with
Prince E. Griffen

Sheriff claims 70 miles at
Ten Cents per mile Total $ 7.00
TAYLOR WILKINS, Sheriff
BY Byrd
DEPUTY SHERIFF

Taylor Wilkins Sheriff

W. Byrd Deputy Sheriff

J. M. Byrd