

Nelson vs Roper

JURY LIST - JULY SESSION CIVIL TERM, 1971 - JULY 12, 1971

- ~~1. Andrews, Guy C., Natural Gas Co, 410 5th St., Bay Minette, Ala. D7~~
- ~~2. Arnette, Opal, Housewife, Rt. 2, Bay Minette D5~~
- ~~3. Bigham, William, Retired Serviceman, P. O. Silverhill~~
- ~~4. Chandler, Ace, R.E.A., Silverhill, Robertsdale P2~~
- ~~5. Childress, J. Bruce, Fisherman, Rt. 3, Foley P6~~
- ~~6. Cooper, James I, Merchant, P. O. Box, Silverhill P7~~
- ~~7. Davison, Johnnie Mae, Cafe Operator, Robertsdale, P7~~
- ~~8. Dickman, Peggy T., Housewife, Brady Rd., Bay Minette~~
- ~~9. Eddins, Rachael, Housewife, Hurricane Rd., Bay Minette~~
- ~~10. Gandy, Bobby Carol, Housewife, Bay Minette~~
- ~~11. Gandy, Tom, Gulf Lumber Co., Stockton Hwy, Bay Minette, D3~~
- ~~12. Hart, Jerry B., Faulkner State University 400 Mixon Ave., Bay Minette~~
- ~~13. Hogan, C. J., Furniture Store, 117 W. 12th St., Bay Minette D2~~
- ~~14. Hollinger, Louise B., Board of Education, Bay Minette D4~~
- ~~15. Jones, Willie, Hogan Furniture, 1101 Lower St., Bay Minette~~
- ~~16. Jones, Sanford, Retired, Pensacola Hwy, Bay Minette, Ala.~~
- ~~17. Kennedy, J. C., Insurance Agent, 603 E 6th Bay Minette~~
- ~~18. Means, Henry, RTD, Cross Road, Bay Minette~~
- ~~19. Moorer, Lee Ella, Housewife, 412 Old Hurricane Rd., Bay Minette~~
- ~~20. Normand, Sage A., Entertainer Brand Hotel, Fairhope, Ala.~~
- ~~21. Ponder, Ellis C., Mgr. Steber Chev., Point Clear, Fairhope P5~~
- ~~22. Reid, Larry M., Kaiser Allum. Hwy 31 S. Bay Minette~~
- ~~23. Rider, Daniel T., Forester, Stapleton, Ala.,~~
- ~~24. Rider, Raymond D., Elec., 61 Mershon St., Fairhope P4~~
- ~~25. Riggs, Stephen S., Radio Sta. Opr., Fairhope P3~~
- ~~26. Rogers, Claude M., Insurance Salesman Cross Roads, Bay Minette~~
- ~~27. Sheldon, Edwin, Brick Layer 553 Mobile St., Fairhope, Ala.~~
- ~~28. Slaughter, June M., Nurse Bay Minette Inf., Tensaw, Ala.~~
- ~~29. Watts, Evelyn K., Civil Defense, 101 Banyan St., Bay Minette~~
- ~~30. Wiggins, James, Merchant, Stapleton, Ala.~~
- ~~31. Overstreet, Earl A., Newport Pine Grove Rd. Bay Minette~~
- ~~32. Page, Glenn A., Jr. Insurance 802 E. 5th St. Bay Minette D1~~
- ~~33. Taylor, Bennie W., Office Stephens Acceptance Loan Co. 810 E. 9th St. Bay Minette~~
- ~~34. Melton Mary D., Bay Slacks, Box 117 Stapleton, Ala.~~
- ~~35. Dean, Joh, Clk, Bald Co. Tax Collector, Stapleton~~
- ~~36. Ryan, Kathleen E., Housewife, Hwy 31 S. Bay Minette~~
- ~~37. Kennedy, Eloise D., Housewife, 603 E. 6th St. Bay Minette D6~~
- ~~38. Vick, Mary K., Cash, Greer Gro 600 W. 7th St. Bay Minette~~
- ~~39. Miller, Harold J., Jr. 6 White Ave. Fairhope~~
- ~~40. McMillan, Minnie Lou, Widow, Stockton, Alabama P1~~

38
24
5142

P XXXXX XX

D XXXXX XI

BILLIE SUE BECK NELSON)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF)	BALDWIN COUNTY, ALABAMA
)	
VS)	AT LAW
)	
STEVE ROPOS)	CASE NO. _____
)	
DEFENDANT)	

Comes now the Plaintiff, Billie Sue Beck Nelson, in the above styled cause and desiring the testimony of the Defendant, propounds the following interrogatories, to be answered by the Defendant under oath:

1. Are you the Defendant in this case?
2. What is your address?
3. What is your age?
4. During the month of December of 1969 were you in possession of a field or pasture bordering on Baldwin County Road 87 in Baldwin County, Alabama?
5. Who owns this property?
6. Is this property leased by you?
7. If the answer to the next above question is yes state the terms of the lease.
8. If the answer to the second next above question is yes when did your possession begin?
9. What use do you make of the field or pasture mentioned above?
10. Do you keep live stock or cows thereon?
11. Did you have cows or live stock thereon on December 2, 1969?
12. Was one of your animals pastured on the field or pasture above named on December 2, 1969?
13. Was one of your cows or live stock injured on U.S. Highway 98 in Baldwin County, Alabama on December 2, 1969?
14. What was the extent of the injury to the animal?
15. What desposition was made of this animal?
16. Was this animal stabled, pastured or otherwise kept on the land of any other person immediately following December 2, 1969?
17. How long was the animal kept stabled, pastured or otherwise kept on such other person's land?

18. On whose land was this animal kept for this time?
19. Was any veterinary or other medical type bill incurred for the injury for such animal?
20. Please state the name and address of the veterinarian or other person treating the injured animal.
21. Please state the name, age and address of the person who supervises the cattle or other live stock kept on the field or pasture above mentioned.
22. Prior to the evening of December 2, 1969, please state the last hour and date which you saw the animal which was injured in the accident of December 2, 1969 on Baldwin County Road #87 approximately one-half mile north of the intersection with U.S. Highway 98 in Baldwin County, Alabama.
23. Had this animal or any other live stock previously escaped or gotten out of the field or pasture above mentioned?
24. State the approximate dates and occasions on which animals or live stock had gotten out of or escaped from the field or pasture above mentioned.
25. What person or persons informed you of the escape?
26. Did you discover the escape of the animals above mentioned without being told by a third person?
27. What action did you take if any to recover the escaped animals or live stock?
28. What repair did you make on the fencing or gate and enclosed on the field or pasture to prevent further escapes?
29. Did any other person or persons assist you in making such repairs?
30. If the answer to next above question is yes state the names, ages and addresses of the persons giving such assistances.
31. Was any material used in the repair, if any, of the fencing, gates or enclosures mentioned in the above questions?
32. Please list the items and the costs of the material used in such repair.
33. Please attach invoices showing the purchase of any materials mentioned above.

34. Please state the time used to repair such fencing, gates and enclosures mentioned to have been repaired above.

35. How long have you kept animals or live stock on the field or pasture mentioned above?

36. How long have you kept or managed cattle and live stock?

37. Do you keep or manage animals or live stock for profit?

38. Did you talk to William A. Nelson or Billie Sue Beck Nelson after the accident of December 2, 1969 on Baldwin County Road #87 at approximately one and one-half miles North of its intersection of U. S. Highway #98 in Baldwin County, Alabama?

39. State the name and address of the person who reported the accident to you.

Wilson Hayes
Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County personally appeared Wilson Hayes, who being known to me, stated under oath that he is the Attorney for Plaintiff in this cause; that the answer to the foregoing interrogatories when well and truly made, will be material evidence for the said Plaintiff on the trial of the said cause.

Wilson Hayes
Wilson Hayes

Sworn to and subscribed to before me this the 6 day of Feb, 1970.

Ernie B. Blackburn
Notary Public,

Service of a copy of the foregoing interrogatories is hereby acknowledged, this 23 day of February, 1970.

FILED

FEB 26 1970

ALICE J. DUCK

REC

[Signature]
Attorney for Defendant

FILED

FEB 6 1970

ALICE J. DUCK, CLERK
J. LUCAS REGISTER

BILLIE SUE BECK NELSON

PLAINTIFF

VS.

STEVE ROPOS

DEFENDANT

X IN THE CIRCUIT COURT OF

X BALDWIN COUNTY, ALABAMA

X AT LAW

X

X CASE NO. 9054

Comes now the Defendant, Steve Ropos, in the above styled cause and files his answer to the interrogatories heretofore filed by the Plaintiff. Defendant under oath did answer as follows:

1. Yes
2. Elberta, Alabama
3. Sixty-one (61)
4. Yes
5. I do
6. Yes
7. Leased to Carsen and Mason
8. See above
9. Pasture
10. Yes
11. Yes
12. I do not understand
13. Yes
14. Slight
15. Put to pasture
16. I do not think so
17. I do not know
18. See above
19. No
20. See above
21. I do
22. Approximately two (2) days before
23. Once in a great while
24. So few have ever gotten out, I do not recall
25. Mrs. Bradley, my landlady

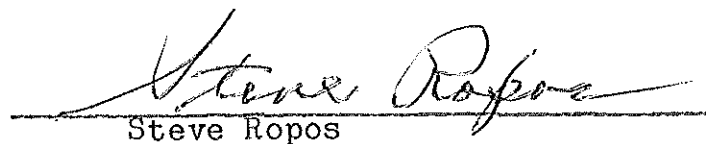
- 26. No
- 27. I put the cow back in the pasture
- 28. None was required
- 29. See 28
- 30. N/A
- 31. N/A
- 32. N/A
- 33. N/A
- 34. N/A
- 35. Twenty (20) years or longer
- 36. Thirty (30) years approximately
- 37. Yes
- 38. No
- 39. Mrs. Bradley, my landlady


Steve Ropos

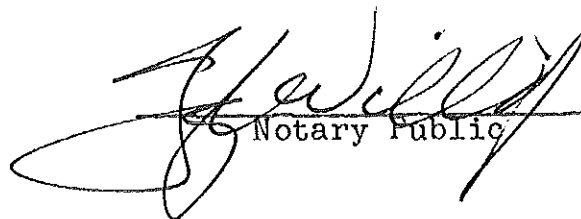
STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Steve Ropos, who after being by me first duly sworn, deposes and says: That he has read the foregoing answers to the interrogatories propounded to him in the said cause, and that the answers are true to the best of his knowledge, information and belief, and that he does believe them to be true.


Steve Ropos

Sworn to and subscribed before me on this the 20 day of March, 1970.


Notary Public

FILED

MAR 23 1970

ALICE A. CLARK CLERK
ALICE A. CLARK CLERK

BILLIE SUE BECK NELSON
PLAINTIFF

VS

STEVE ROPOS
DEFENDANT

X IN THE CIRCUIT COURT OF
X BALDWIN COUNTY, ALABAMA
X AT LAW
X
X CASE NO. 9054

PLEA

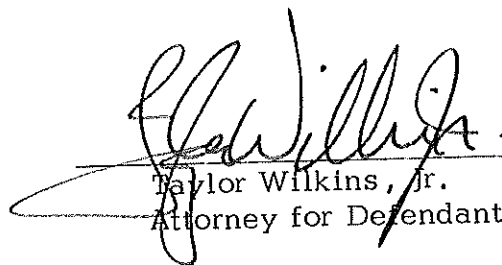
Comes now the Defendant, Steve Ropos, and files this plea to the
Plaintiff's complaint:

I

Defendant pleads not guilty.

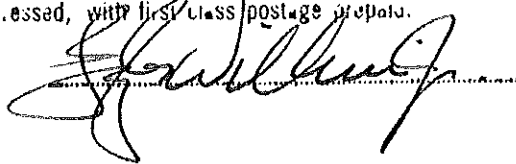
II

Defendant denies each and every allegation of the Plaintiff's com-
plaint and demands strict proof thereof.


Taylor Wilkins, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 19 day of November
1970 served a copy of the foregoing pleading in course for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, with first class postage prepaid.



FILED

NOV 21 1970

ALICE J. BAKER

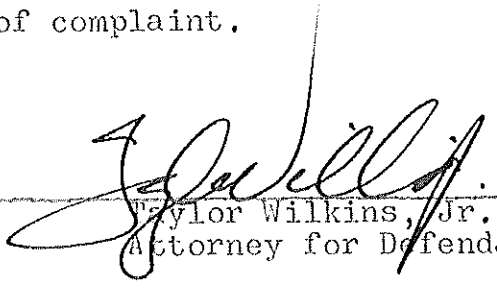
CLERK
REGISTER

BILLIE SUE BECK NELSON, : IN THE CIRCUIT COURT OF
PLAINTIFF, : BALDWIN COUNTY, ALABAMA
VS. : AT LAW
STEVE ROPOS, :
DEFENDANT. : CASE NO: 9054

D E M U R R E R

Comes now Steve Ropos, and files this demurrer to the Plaintiff's complaint and sets down and assigns the following grounds separately and severally.

1. Defendant alleges that Plaintiff failed to state a cause of action in her bill of complaint.


Taylor Wilkins, Jr.
Attorney for Defendant

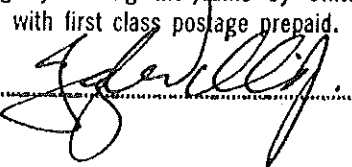
FILED

JAN 29 1970

ALICE J. DUCK CLERK
REGISTER

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 29 day of Jan
1970 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.


Taylor Wilkins, Jr.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Steve Ropos 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 same, then and there to answer the complaint of Billie Sue Beck Nelson.

Witness my hand, this 30 day of December, 1969.

Alice J. Luck
CLERK

BILLIE SUE BECK NELSON
PLAINTIFF

VS

STEVE ROPOS

DEFENDANT

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA

) AT LAW

) NUMBER: 2854
)
)

I

Plaintiff claims of the Defendant TWELVE-THOUSAND and NO/100 (\$12,000.00) DOLLARS for that on to-wit the 2nd day of December, 1969 Defendant knowingly or wilfully put, placed or allowed a cow or other bovine animal or live stock owned by him on Baldwin County Road #87, at approximately one and one-half miles North of its intersection with U. S. Highway #98 in Baldwin County, Alabama, a public highway in Baldwin County, Alabama, and as a proximate consequence of the presence of said cow or bovine animal or other live stock, Plaintiff ran into, over or against the said animal in an automobile in which she was then and there riding on said Alabama Highway #87, thereby crushing her ribs, and making her sore and lame and causing her to incur therefor substantial bills for hospital and medical care, hence this suit.

II

Plaintiff claims of the Defendant TWELVE-THOUSAND and NO/100 (\$12,000.00) DOLLARS for that on to-wit the 2nd day of December, 1969 Defendant wilfully or wantonly allowed a cow or other bovine animal or live stock owned by him on Baldwin County Road #87, at approximately one and one-half miles North of its intersection with U. S. Highway #98 in Baldwin County, Alabama,

a public highway in Baldwin County, Alabama, and as a proximate consequence of the wilfull and wanton misconduct of Defendant, Plaintiff ran into, over or against the said animal in an automobile in which she was then and there riding on said Alabama Highway #87, thereby crushing her ribs, and making her sore and lame and causing her to incur therefor substantial bills for hospital and medical care, hence this suit.

W. L. Hay
Attorney for Plaintiff

Plaintiff demands trial by jury.

Done this 30th day of December, 1969.

W. L. Hay
Attorney for Plaintiff

FILED

DEC 30 1969

ALICE J. DUCK CLERK
REGISTER

24 1-12-78

9054

Billie Sue Beck Nelson

vs.

Steve Ropos
Elberta

We the jury find
for the Defendant
James Wiggins
Foreman

received 31 day of Dec 1969
ad on 17 day of Jan 1970
served a copy of the within 2 & C
by Steve Ropos
y service on _____
TAYLOR WILKINS, Sheriff
By Robert L. Wilkins

86

Ten Cents
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

FILED

DEC 30 1969

ALICE J. DUCK CLERK
REGISTER

W. Hayes