

MARY ELLA CAPLES,	X	IN THE CIRCUIT COURT
Plaintiff,	X	OF BALDWIN COUNTY,
VS	X	ALABAMA
DAVID STANLEY DUNN,	X	AT LAW
Defendant.	X	CASE NO. <u>9182</u>

Plaintiff claims of the defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS as damages for that heretofore and on, to-wit, the 1st day of November, 1969, while the plaintiff was operating her automobile in a, to-wit, southerly direction on and along U. S. Highway 98 at or near, to-wit, its intersection with Bay Ridge Road in Baldwin County, Alabama, said U. S. Highway 98 being a public road in Baldwin County, the defendant did so negligently operate an automobile at said time and place as to cause the same to run into, over, upon and against the rear of plaintiff's automobile and as a direct and proximate result of the negligence of the defendant as aforesaid, the plaintiff was injured and damaged as follows:

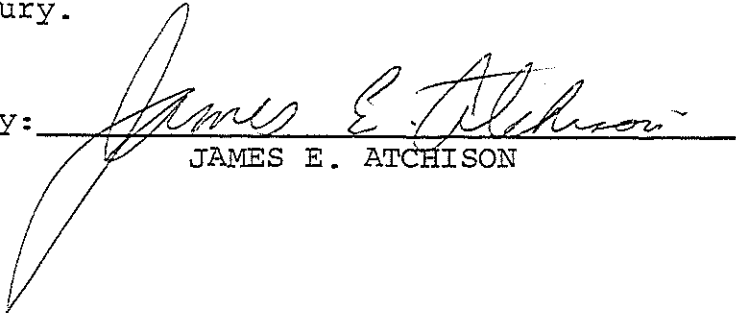
Plaintiff was injured in and about her back and neck; plaintiff's whole body was contused and bruised; plaintiff was caused to be admitted to the hospital and was caused to incur numerous expenses in and about the care and treatment of her injuries; plaintiff was caused to lose time from her employment; plaintiff was caused to suffer much physical pain and mental anguish; plaintiff's automobile was badly bent, dented and damaged and the value thereof permanently depreciated; all as a direct and proximate result of the negligence of the defendant as aforesaid, wherefore plaintiff sues and seeks to recover in the amount of TEN THOUSAND (\$10,000.00) DOLLARS.

M. A. MARSAL and JAMES E. ATCHISON
Attorneys for Plaintiff

JAMES E. ATCHISON

Plaintiff demands trial by jury.

by:


JAMES E. ATCHISON

Defendant may be served:
David Stanley Dunn
P. O. Box 15
Silver Hill, Alabama

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

} No. 9182

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon David Stanley Dunn

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.....

.....David Stanley Dunn..... Defendant.....

by Mary Ella Caples

....., Plaintiff.....

Witness my hand this..... 25day of..... March 19.....70

.....*Reice J. Duck*..... Clerk

24 4-10-70

Silverhill

No. 9182

Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MARY ELLA CAPLES

Plaintiffs

vs.

DAVID STANLEY DUNN

Defendants

SUMMONS AND COMPLAINT

Filed 3-25 1970

Alice J. Duck

Clerk

James E. Atchison

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

March 25 1970

Taylor Wilkins Sheriff

I have executed this summons

this 4-10-1970

by leaving a copy with

David S. Dunn

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY *[Signature]*
DEPUTY SHERIFF

Taylor Wilkins Sheriff

[Signature] Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

60 miles R-T.

Plaintiff demands trial by jury.

by:


JAMES E. ATCHISON

Defendant may be served:
David Stanley Dunn
P. O. Box 15
Silver Hill, Alabama

SEALE, MARSAL, SEALE & DUKE

LAWYERS

2410 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

HARRY SEALE

M. A. MARSAL

A. J. SEALE

LEON G. DUKE

JAMES E. ATCHISON

MAILING ADDRESS
POST OFFICE BOX 1746
432-6686

August 10, 1970

Mrs. Alice Duck
Circuit Court
Baldwin County
Bay Minette, Alabama

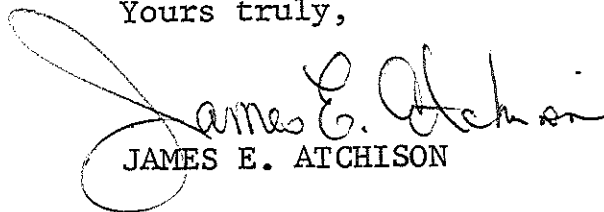
Re: Mary Ella Caples v. David & Thomas
Dunn-Case No. 9182

Dear Mrs. Duck:

The above case has been settled and should be dismissed from the trial docket. Please forward your cost bill to Mr. James Johnson of State Farm Insurance Company, P. O. Box 9068, Mobile, Alabama, 36609.

Thanking you, I am

Yours truly,


JAMES E. ATCHISON

*Done
8-12-70*

JEA:mjm

CC: Mr. James Johnson
Honorable John E. Chason

MARY ELLA CAPLES, X
Plaintiff, X
vs. X
DAVID STANLEY DUNN, X
Defendant. X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 9182

DEMURRER

Comes now the Defendant in the above styled cause, by and through his Attorneys of Record and demurs to the complaint heretofore filed against him and shows unto the Court in support thereof the following separate and several grounds:

1. Said complaint is vague, indefinite and uncertain.
2. Said complaint fails to allege the time of day or night at which said accident allegedly occurred.
3. Said complaint fails to sufficiently advise the Defendant of the injuries and damages sustained by the Plaintiff.
4. Said complaint fails to allege how much time was lost from her employment.
5. Said complaint fails to allege that the Plaintiff was gainfully employed at the time of the accident.
6. Said complaint fails to allege in what particulars the Plaintiff's automobile was damaged.

CHASON, STONE & CHASON

By: John E. Chason
Attorneys for Defendant

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 21 day

of April 1970

John E. Chason

FILED

APR 21 1970

ALICE J. BROWN