

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Walter Mixon and O.V. Mixon 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, Alabama, at Law, by John Heilmair, a minor, suing by and through Jack Heilmair as his Father and next friend.

Witness my hand this 23 day of July, 1970.

Alice D. Duck  
Clerk

JOHN HEILMEIR, a minor, X  
suing by and through X  
JACK HEILMEIR, as his X  
Father and next friend, X

Plaintiff, X

IN THE CIRCUIT COURT OF

vs. X

BALDWIN COUNTY, ALABAMA

WALTER MIXON and O. V. X  
MIXON, X

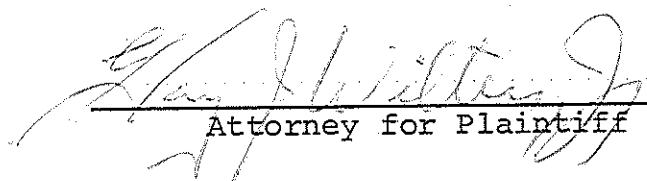
Defendants. X

AT LAW

9398

The Plaintiff claims of the Defendants the sum of One Thousand Five Hundred Dollars (\$1,500.00) as damages for that, heretofore, on to-wit: the 17th day of September, 1969, at a point on Pecan Way Road approximately 3.4 miles West of Foley, Alabama, in Baldwin County, Alabama, at which time and place the Defendant, Walter Mixon, who is a minor eighteen years of age, who was then and there the agent, servant or employee of the Defendant, O. V. Mixon and who was then and there acting within the

line and scope of his authority as such, did so negligently operate an automobile which was the property of the Defendant, O. V. Mixon, as to cause or allow the same to run into or against the Plaintiff, John Heilmair, the minor son of Jack Heilmair, while the said John Heilmair was riding a motorcycle on such road where he had a right to be and as a proximate result of the negligence of such Defendants, the Plaintiff, John Heilmair was injured in this: his right arm was broken, a broken toe on his left foot and abrasions to his left knee and his motorcycle was damaged, all to the damage to the Plaintiff in the sum above mentioned, hence this suit.

  
Attorney for Plaintiff

**FILED**

JUL 23 1970

**ALICE J. DUCK** CLERK  
REGISTER

JOHN HEILMEIR, a minor,  
suing by and through  
JACK HEILMEIR, as his  
Father and next friend,

Plaintiff,

vs.

WALTER MIXON and O. V.  
MIXON,

Defendants.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

\* \* \* \* \*

SUMMONS AND COMPLAINT

\* \* \* \* \*

JOHN HEILMEIR, a minor,  
suing by and through JACK  
HEILMEIR, as his Father  
and next friend,

Plaintiff,

vs.

WALTER MIXON and O. V.  
MIXON,

Defendants.

X

X

X

X

X

X

X

X

X

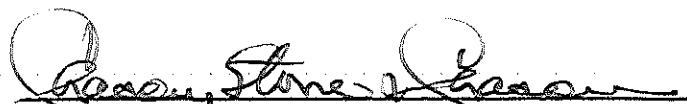
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Come the Defendants in the above styled cause and for  
answer to the Complaint filed in said cause and say:

1. Not guilty.

  
Attorneys for Defendants

**FILED**

JUL 23 1970

**ALICE J. DUCK** CLERK  
REGISTER

JOHN HEILMEIR, a minor,  
suing by and through JACK  
HEILMEIR, as his Father  
and next friend,

Plaintiff,

vs.

WALTER MIXON and O. V.  
MIXON,

Defendants.

X

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

This matter coming on to be heard on this day and it appearing to the Court that the Defendant, Walter Mixon, is a minor eighteen years of age and although he is representd by Chason, Stone & Chason, Attorneys at Law, Bay Minette, Alabama, it is required by the laws of the State of Alabama that a guardian ad litem be appointed to represent him at such hearing.

The Court hereby appoints John Chason of Bay Minette, Alabama, as Guardian ad Litem for Walter Mixon and he is hereby required to deny the allegations of the Complaint and demand proof thereof.

Done this 23rd day of July, 1970.

Jeffrey J. Madeline  
Circuit Judge

I hereby accept appointment as Guardian ad Litem for Walter Mixon, a minor eighteen years of age, and I hereby deny the allegations of the Complaint and demand strict proof thereof.

Dated this 23rd day of July, 1970.

John Chason  
As Guardian Ad Litem for Walter  
Mixon, a minor