

SIDNEY DORGAN, a minor 16
years of age who sues by
and through his father and
next friend, MARION DORGAN,

PLAINTIFF,

-vs-

ABRAHAM AVRITT, GEORGE AVRITT
and A B C, a person, firm or
corporation who was the owner
or operator of the vehicle in-
volved in the accident made the
basis of this suit whose true
legal name or names is otherwise
unknown to the Plaintiff at this
time but will be added by amend-
ment when ascertained, indivi-
dually and jointly,

DEFENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9415

COUNT ONE

Plaintiff claims of the Defendants the sum of TWENTY-FIVE
THOUSAND (\$25,000.00) DOLLARS, damages, for that heretofore and
on, to-wit, June 20, 1970, the Defendant, Abraham Avritt, an
agent, servant or employee of the Defendant, George Avritt,
while acting within the line and scope of his authority as such,
wantonly injured the Plaintiff by so wantonly operating a motor
vehicle on Baldwin County Road Number 1, at a point thereon,
to-wit, .1 miles west of its intersection with Mary Ann Beach
Road, said roads being public roads in Baldwin County, Alabama,
as to cause the same to leave the road and strike an embankment
and power pole, and as a direct and proximate result of the
~~wanton conduct of the Defendants as aforesaid, the Plaintiff was~~
was then and there riding as a passenger in said motor vehicle
was caused to suffer the following injuries and damages: he was


made sick, sore and lame; he suffered bruises and contusions over his head, face and body; his back was injured; he was permanently injured; he was caused to suffer severe physical pain and mental anguish, still so suffers and will so suffer in the future.

CUNNINGHAM, BOUNDS & BYRD
ATTORNEYS FOR PLAINTIFF

BY


RICHARD BOUNDS

Plaintiff demands a trial by jury.


RICHARD BOUNDS

Trial Attorney: Richard Bounds

Address of Defendants:

Abraham Avritt
P. O. Box 311
Ala. #1 East of Point Clear
Point Clear, Alabama
928-2918

George Avritt
P. O. Box 311
Ala. #1 East of Point Clear
Point Clear, Alabama
928-2918

MARION DORGAN,)

PLAINTIFF,)

-vs-)

ABRAHAM AVRITT, GEORGE AVRITT)
and A B C, a person, firm or)
corporation who was the owner)
or operator of the vehicle in-)
volved in the accident made)
the basis of this suit whose)
true legal name or names is)
otherwise unknown to the Plain-)
tiff at this time but will be)
added by amendment when ascer-)
tained, individually and)
jointly,)

DEFENDANTS.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9414

COUNT ONE

Plaintiff claims of the Defendants the sum of TEN THOUSAND (\$10,000.00) DOLLARS, damages, for that heretofore and on, to-wit, June 20, 1970, the Defendant, Abraham Avritt, an agent, servant or employee of the Defendant, George Avritt, while acting within the line and scope of his authority as such, wantonly injured the Plaintiff's minor son, Sidney Dorgan, by so wantonly operating a motor vehicle on Baldwin County Road Number 1, at a point thereon, to-wit, .1 miles west of its intersection with Mary Ann Beach Road, said roads being public roads in Baldwin County, Alabama, as to cause the same to leave the road and strike an embankment and power pole, and as a direct and proximate result of the wanton conduct of the Defendants as aforesaid, the Plaintiff's son who was then and there riding as a passenger in said motor vehicle was caused to suffer the following injuries and damages: he was made sick, sore and lame; he suffered bruises and contusions over his head, face and body; his back was injured; he

was permanently injured; he was caused to suffer severe physical pain and mental anguish, still so suffers and will so suffer in the future.

As a further direct and proximate result of the wanton conduct of the Defendants and the injuries to Plaintiff's minor son, Plaintiff was caused to incur doctors' bills, hospital bills and other medical expenses for the care and treatment of his said son's injuries and he was caused to lose the services of his son over a period of time.

CUNNINGHAM, BOUNDS & BYRD
ATTORNEYS FOR PLAINTIFF

BY: 
RICHARD BOUNDS

Plaintiff demands a trial by jury.


RICHARD BOUNDS

Trial Attorney: Richard Bounds

Address of Defendants:

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928-2918

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Point Clear, Alabama
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FILED

AUG 3 1970

ALICE J. DUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

} No. 9414

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Abraham Avritt and George Avritt

.....
.....
.....
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 Abraham Avritt,
and George Avritt, et al Defendant.....

by Marion Dorgan
.....
..... Plaintiff.....

Witness my hand this.....3rd.....day of.....August.....1970.....
Alice J. Blueck Clerk

No. 9414

Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MARION DORGAN

Plaintiffs

vs.

ABRAHAM AVRITT, GEORGE AVRITT,
ET AL Defendants

SUMMONS AND COMPLAINT

Filed August 3, 19 70

Alice J. Duck Clerk

Cunningham, Bounds & Byrd

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

See inside

Received In Office

August 3 19 70

(Taylor Wilkins) Sheriff

I have executed this summons

this 7, Aug. 19 70

by leaving a copy with

Abraham Avritt, George Avritt

Sheriff claims 1/80 miles at

Ten Cents per mile Total 160.00

TAYLOR WILKINS, Sheriff

BY W.C. Orisk
DEPUTY SHERIFF

Sheriff

W.C. Orisk Deputy Sheriff

MARION DORGAN,

PLAINTIFF,)

-vs-

ABRAHAM AVRITT, GEORGE AVRITT)
and A B C, a person, firm or)
corporation who was the owner)
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DEFENDANTS.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO.

9414

COUNT ONE

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ATTORNEYS FOR PLAINTIFF

BY: 
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AUG 3 1970

ALICE J. DUCK CLERK
REGISTER

MARION DORGAN,
Plaintiff,

VS.

ABRAHAM AVRITT, GEORGE AVRITT
and A B C, a person, firm or
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or operator of the vehicle in-
volved in the accident made
the basis of this suit whose
true legal name or names is
otherwise unknown to the Plain-
tiff at this time but will be
added by amendment when ascer-
tained, individually and
jointly,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA

AT LAW

CASE NO. 9,414

DEMURRER

Come now the Defendants in the above styled cause and demur to the Plaintiff's complaint and assign as grounds for said demurrer the following separately and severally, to-wit:

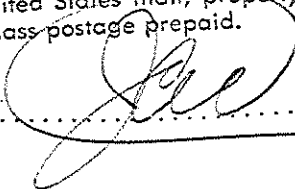
1. Plaintiff's complaint does not state a cause of action against these Defendants upon which relief can be granted.
2. The Plaintiff has failed to allege wantonness properly.
3. For aught appearing from the Plaintiff's complaint this Court has no jurisdiction of this case.
4. For that the Plaintiff's complaint is so vague, uncertain and indefinite as to fail to apprise these Defendants of what they are being called upon to defend against.
5. For that there is no allegation of what the wantonness of the Defendants consisted in.
6. The Plaintiff has failed to allege a wanton injury to the Plaintiff.

JOHN A. COURTNEY
Attorney for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 26th...

day of August, 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, and first class postage prepaid.



FILED

AUG 28 1970

ALICE J. DUCK CLERK
REGISTER