



MABEL S. AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104
269-6185
AREA CODE 205

October 22, 1970

Honorable W. L. Finch
P. O. Box 4453
Mobile, Alabama 36604

Dear Mr. Finch:

Re: GRADY R. WALKER d/b/a DISCOUNT WORLD TRUCK STOP, Plaintiff VS
M. TRUETT FARRAR, et al, Defendants

Please refer to your file in the above-styled cause and be advised that on October 14, 1970, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

M. Truett Farrar
Fort Walton Beach, Florida 32548

On October 21, 1970, this letter (Certified Letter No. 50810) was returned to me with reason for non-delivery given as "ADDRESSEE UNKNOWN".

Will you please advise me as to any further efforts you wish me to make in perfecting this service.

Yours very truly,

fc

Mabel S. Amos
Secretary of State

CC: Honorable Alice J. Duck, Clerk
Circuit Court of Baldwin County
✓ Bay Minette, Alabama 36507

GRADY R. WALTER, d/b/a
DISCOUNT WORLD TRUCK STOP,

Plaintiff

Vs.

A. J. Dickerson, and M. Truett)
Farrar, Jointly and severally

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

AT LAW

CASE NO. 9498

Plaintiff claims of the Defendants the sum of Five Thousand Dollars (\$5,000.00) as damages for that Plaintiff avers that on, to-wit: October 20, 1969, Plaintiff was the owner and operator of a public truck stop known as Discount World Truck Stop on or near Highway 59, a public highway in Baldwin County, Alabama, at or near the City of Loxley, Baldwin County, Alabama, and on to-wit, said day and date, the Defendant, M. Truett Farrar, an agent, servant, or employee of the Defendant, A. J. Dickerson, while acting within the line and scope of his agency or employment, did so negligently operate his motor vehicle on or upon said Highway 59 and in the vicinity of the Discount World Truck Stop as to cause or allow his motor vehicle to collide with Plaintiff's parked vehicle on the premises of Discount World Truck Stop, and to further strike and damage Plaintiff's electrical lighting fixtures and signs on the premises of Discount World Truck Stop. As a proximate result and consequence thereof, Plaintiff sustained property damage in that, his aforementioned vehicle was broken bent, smashed and otherwise damaged and the premises of Discount World Truck Stop were damaged and rendered of greatly less value in that, Plaintiff's electrical lighting fixtures and signs were destroyed or rendered valueless, and great amounts of diesel fuel or other petroleum derivatives were caused to be spilled on the asphalt surface at the aforementioned premises of Discount World

Truck Stop by the negligence of Defendants causing great losses of fuel damaging said asphalt. The Plaintiff alleges that the damages to his property were proximately caused by the negligence of the Defendant, hence this suit.

Warren L. Finch

WARREN L. FINCH

Attorney for Plaintiff

Jesse H. Slaughter

JESSE H. SLAUGHTER

Attorney for Plaintiff

The Plaintiff demands a trial by jury.

Warren L. Finch

WARREN L. FINCH

Attorney for Plaintiff

Defendants may be served:

Fort Walton Beach, Florida

FILED

SEP 24 1970

ALICE J. LUK

CLERK
REGISTER

WARREN L. FINCH
JESSE H. SLAUGHTER

LAW OFFICE
OF

963 OLD SHELL ROAD
MOBILE, ALABAMA 36684
TELEPHONE 438-1621

WARREN L. FINCH

October 8, 1970

Mrs. Eunice Blackmon
Clerk Circuit Court
Baldwin County
Bay Minette, Alabama

RE: Grady R. Walker
Vs.
A. J. Dickerson et al

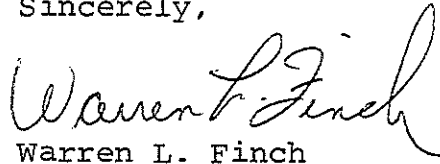
9498

Dear Mrs. Blackmon:

I am forwarding herewith the extra copies
which you requested in the above styled cause.

Also, please find enclosed herewithin our
check in the amount of \$10.00 for Service in this
matter.

Sincerely,


Warren L. Finch

WLF/cs

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III
JOHN N. LEACH, JR.

MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA
36602

MAILING ADDRESS:
P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:
TWINING
TELEPHONE
433-5441

November 4, 1970

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

Re: Grady R. Walker, d/b/a, etc. vs. A. J.
Dickerson, et al - Circuit Court Case No.
9498

Dear Mrs. Duck:

Enclosed please find a copy of the demurrer which we would appreciate your filing on behalf of the defendant A. J. Dickerson in the above referenced case.

Cordially,



John N. Leach, Jr.
For the Firm

JNL, JR:bd
Enclosure

MAILING ADDRESS
P. O. BOX 4453
CAROLINE AVE. STATION
MOBILE, ALABAMA 36604

WARREN L. FINCH

Lawyer

963 OLD SHELL ROAD
MOBILE, ALABAMA 36604

TELEPHONE
438-1621

June 2, 1971

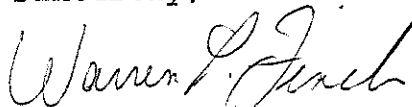
Clerk of Circuit Court
Baldwin County Courthouse Bldg.
Bay Minette, Alabama

RE: Grady R. Walker Vs. A. J. Dickerson et al
Case No. 9498

Dear Sir:

Please dismiss the above referenced case and send the
cost bill to Mr. John Leach, Attorney at Law, P. O. Box
1109, Mobile, Alabama 36601.

Sincerely,



Warren L. Finch

WLF/cs

cc: Mr. John Leach

67 PAGE 728

GRADY R. WALKER, d/b/a)	IN THE CIRCUIT COURT OF
DISCOUNT WORLD TRUCK)	
STOP,)	
)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
)	
vs.)	
)	
A. J. DICKERSON, and M.)	
TRUETT FARRAR, Jointly and)	
severally,)	
)	
Defendants.)	CASE NO. 9498

DEMURRER

Comes now A. J. Dickerson, one of the defendants in the above styled cause, and demurs to the complaint heretofore filed against him in said cause, and to each count thereof, separately and severally, and for grounds of demurrer sets down and assigns the following, separately and severally, to-wit:

1. That it does not state facts sufficient to constitute a cause of action.
2. For that negligence is therein alleged merely as a conclusion of the pleader.
3. For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence this defendant is called on to defend.
4. For that it does not appear with sufficient certainty what duty, if any, this defendant may have owed to the plaintiff.
5. For that it does not appear with sufficient certainty wherein defendant violated any duty he may have owed to the plaintiff.
6. For that it does not sufficiently appear that the defendant owed any duty to the plaintiff which this defendant negligently failed to perform.
7. For that there does not appear sufficient causal connection between defendant's said breach of duty and plaintiff's injuries and damages.
8. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

9. It is not alleged with sufficient certainty where said accident occurred.

10. It is not alleged that the negligence complained of proximately caused the accident, the injuries and damages complained of.

11. The averments thereof are conflicting and repugnant.

~~12. For that no causal connection appears between the defendant's~~
alleged negligence and the injuries and damages complained of by the plaintiff.

INGE, TWITTY, DUFFY & PRINCE

BY: John N. Leach, Jr.
John N. Leach, Jr.

FILED

NOV 5 1970

ALICE J. DUCK CLERK
REGISTER

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 4th day of Nov., 1970.

John N. Leach, Jr.
Attorney for

FILED

(199)

007 21 1970

ALICE J. DUCK

CLERK
REGISTER
October 20, 1970

GRADY R. WALKER, d/b/a DISCOUNT WORLD
TRUCK STOP, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

VS

A. J. DICKERSON, et al, Defendants

CASE NO. 9498

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

I, Mabel Amos, Secretary of State, hereby certify that on October 14, 1970
I sent by certified mail in an envelope addressed as follows:

"A. J. Dickerson
Fort Walton Beach, Florida 32548"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:

"A. J. Dickerson
Fort Walton Beach, Florida 32548"

You will take notice that on October 14, 1970 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: GRADY R. WALKER, d/b/a DISCOUNT WORLD TRUCK STOP, Plaintiff
VS A. J. DICKERSON, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Case No. 9498 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 14th
day of October, 1970

Enclosure (1)

(Signed) Mabel Amos
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.

I further certify that on October 20, 1970 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Ft. Walton Bch, Fl.
on 10/19/70

WITNESS MY HAND and the Great Seal of the State of Alabama this the 20th day
of October, 1970


MABEL S. AMOS
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

CC: Honorable W. L. Finch
P. O. Box 4453
Mobile, Alabama 36604

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9498

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon A. J. Dickerson and M. Truett Farrar.
Jointly & Severally

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 A. J. Dickerson
and M. Truett Farrar, Jointly & Severally ... Defendant.....
by Grady R. Walker, d/b/a Discount World Truck Stop

....., Plaintiff.....
Witness my hand this 24th day of September 1970

Alice J. Week, Clerk

No.....

Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Recieved In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

GRADY R. WALKER, d/b/a
DISCOUNT WORLD TRUCK STOP,

Plaintiff

vs.

A. J. Dickerson, and M. Truett)
Farrar, Jointly and severally

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,


ALABAMA

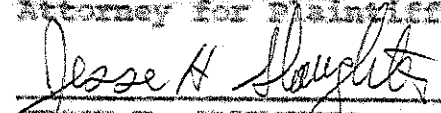
AT LAW

CASE NO. 9498

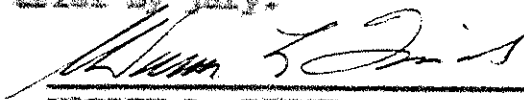
Plaintiff claims of the Defendants the sum of Five Thousand Dollars (\$5,000.00) as damages for that Plaintiff avers that on, to-wit: October 20, 1969, Plaintiff was the owner and operator of a public truck stop known as Discount World Truck Stop on or near Highway 59, a public highway in Baldwin County, Alabama, at or near the City of Loxley, Baldwin County, Alabama, and on to-wit, said day and date, the Defendant, M. Truett Farrar, an agent, servant, or employee of the Defendant, A. J. Dickerson, while acting within the line and scope of his agency or employment, did so negligently operate his motor vehicle on or upon said Highway 59 and in the vicinity of the Discount World Truck Stop as to cause or allow his motor vehicle to collide with Plaintiff's parked vehicle on the premises of Discount World Truck Stop, and to further strike and damage Plaintiff's electrical lighting fixtures and signs on the premises of Discount World Truck Stop. As a proximate result and consequence thereof, Plaintiff sustained property damage in that, his aforementioned vehicle was broken bent, smashed and otherwise damaged and the premises of Discount World Truck Stop were damaged and rendered of greatly less value in that, Plaintiff's electrical lighting fixtures and signs were destroyed or rendered valueless, and great amounts of diesel fuel or other petroleum derivatives were caused to be spilled on the asphalt surface at the aforementioned premises of Discount World

Truck Stop by the negligence of Defendants causing great losses of fuel damaging said asphalt. The Plaintiff alleges that the damages to his property were proximately caused by the negligence of the Defendant, hence this suit.


WARREN L. FINCH
Attorney for Plaintiff


JESSE H. SLAUGHTER
Attorney for Plaintiff

The Plaintiff demands a trial by jury.


WARREN L. FINCH
Attorney for Plaintiff

Defendants may be served:

Fort Walton Beach, Florida

FILED

SEP 24 1970

ALICE J. BOOK

CLERK
REGISTER

STATE OF ALABAMA

COUNTY OF MOBILE)

GRADY R. WALKER, d/b/a
DISCOUNT WORLD TRUCK STOP

Plaintiff

A. J. DICKERSON, and M.
TRUETT FARRAR, Jointly and
severally

References

IN THE CIRCUIT COURT OF
BALDWIN COUNTY,

CASE NO. _____

CERTIFICATE

I, Warren L. Finch, as Attorney of record representing Plaintiff, Grady R. Walker, in the above entitled cause hereby certify that the provisions of Title 7, Section 199, Code of Alabama 1940 (Recomp.1958), are applicable as to Service of Process on the Defendants, A. J. Dickerson and M. Truett Farrar, as non-resident operators or owners of motor vehicles.

WARRIOR PRINCIPLES

STATE OF ALABAMA

COUNTY OF MOBILE)

I, Carol Stevens, a Notary Public for the State of Alabama at Large, do hereby certify that Warren L. Finch, who is known to me, acknowledged before me on this date that pursuant to Title 7, Section 199, Code of Alabama 1940 (Recomp. 1958) he executed the foregoing certificate.

Sworn to and subscribed before me, this 23rd day of

Sept., 1970.

NOTARY PUBLIC
STATE OF ALABAMA AT LARGE

FILED

SEP 24 1970

ALCOHOL CONSUMPTION

CLERK
REGISTER

STATE OF ALABAMA

COUNTY OF MOBILE

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF

MOBILE COUNTY,

JOHN A. WILSON, JR.,
Plaintiff

vs.

A. J. WILSON, JR.,
Defendant

Case No.

1970-10-12

COMPLAINT

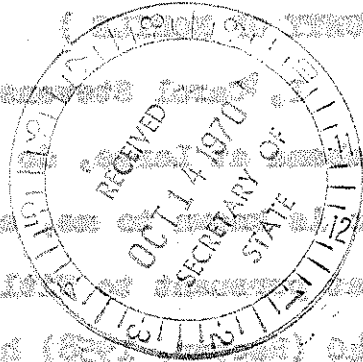
I, James I. Finch, an attorney at law representing
plaintiff, hereby certify that the provisions of Title 7, Section 199,
Code of Alabama 1975, are applicable as
to service of process on the defendant, A. J. Wilson
and M. Ernest Farmer, as non-resident operators or
owners of motor vehicles.

[Signature]
JAMES I. FINCH

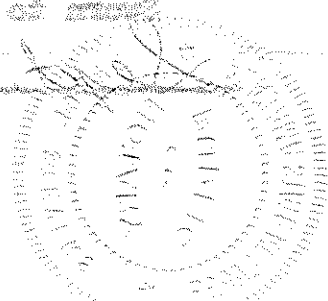
STATE OF ALABAMA

COUNTY OF MOBILE

to and subscribed before me, this day of
October, 1970, in and to the foregoing certificate.
I, the undersigned, a Notary Public for the State of
Alabama, hereby certify that James I. Finch,
plaintiff, is an authorized agent on this date
and to and subscribed before me, this day of
October, 1970, in and to the foregoing certificate.



[Signature]
JOHN A. WILSON, JR.
STATE OF ALABAMA AT LAW



FILED

SEP 24 1970

CLERK
REGISTER

8676

GRADY R. WALKER, d/b/a)	IN THE CIRCUIT COURT OF
DISCOUNT WORLD TRUCK STOP,		
Plaintiff)	BALDWIN COUNTY,
Vs.)	ALABAMA
A. J. Dickerson, and M. Truett)	AT LAW
Farrar, Jointly and severally		
Defendants)	CASE NO. <u>9498</u>

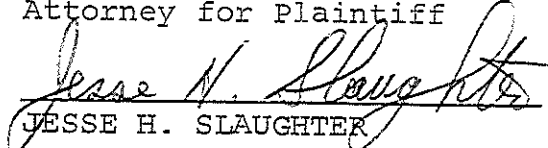
Plaintiff claims of the Defendants the sum of Five Thousand Dollars (\$5,000.00) as damages for that Plaintiff avers that on, to-wit: October 20, 1969, Plaintiff was the owner and operator of a public truck stop known as Discount World Truck Stop on or near Highway 59, a public highway in Baldwin County, Alabama, at or near the City of Loxley, Baldwin County, Alabama, and on to-wit, said day and date, the Defendant, M. Truett Farrar, an agent, servant, or employee of the Defendant, A. J. Dickerson, while acting within the line and scope of his agency or employment, did so negligently operate his motor vehicle on or upon said Highway 59 and in the vicinity of the Discount World Truck Stop as to cause or allow his motor vehicle to collide with Plaintiff's parked vehicle on the premises of Discount World Truck Stop, and to further strike and damage Plaintiff's electrical lighting fixtures and signs on the premises of Discount World Truck Stop. As a proximate result and consequence thereof, Plaintiff sustained property damage in that, his aforementioned vehicle was broken bent, smashed and otherwise damaged and the premises of Discount World Truck Stop were damaged and rendered of greatly less value in that, Plaintiff's electrical lighting fixtures and signs were destroyed or rendered valueless, and great amounts of diesel fuel or other petroleum derivatives were caused to be spilled on the asphalt surface at the aforementioned premises of Discount World

Truck Stop by the negligence of Defendants causing great losses of fuel damaging said asphalt. The Plaintiff alleges that the damages to his property were proximately caused by the negligence of the Defendant, hence this suit.



WARREN L. FINCH

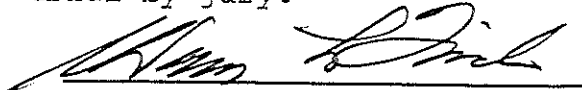
Attorney for Plaintiff



JESSE H. SLAUGHTER

Attorney for Plaintiff

The Plaintiff demands a trial by jury.



WARREN L. FINCH

Attorney for Plaintiff

Defendants may be served:

Fort Walton Beach, Florida

FILED

SEP 24 1970

ALICE J. DUCK CLERK
REGISTER

COUNTY OF MOBILE)

Defendants

CASE NO. _____

I, Warren L. Finch, as Attorney of record representing Plaintiff, Grady R. Walker, in the above entitled cause hereby certify that the provisions of Title 7, Section 199, Code of Alabama 1940 (Recomp.1958), are applicable as to Service of Process on the Defendants, A. J. Dickerson and M. Truett Farrar, as non-resident operators or owners of motor vehicles.

WARREN L. FINCH

COUNTY OF MOBILE)

I, Carol Stevens, a Notary Public for the State of Alabama at Large, do hereby certify that Warren L. Finch, who is known to me, acknowledged before me on this date that pursuant to Title 7, Section 199, Code of Alabama 1940 (Recomp. 1958) he executed the foregoing certificate.

Sworn to and subscribed before me, this 23rd day of

Sept., 1970.

Carl Stevens
NOTARY PUBLIC
STATE OF ALABAMA AT LARGE

FILED

SEP 24 1970

ALICE J. DUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

} No 9498

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon A. J. Dickerson and M. Truett Farrar
Jointly & Severally

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 A. J. Dickerson
and M. Truett Farrar, Jointly & Severally Defendant
by Grady R. Walker, d/b/a Discount World Truck Stop

Plaintiff

Witness my hand this 24th day of September 1970.

Alice J. Luck Clerk

THE STATE OF ALABAMA**BALDWIN COUNTY****CIRCUIT COURT**

GRADY R. WALKER, d/b/a

DISCOUNT WORLD TRUCK STOP

Plaintiffs

vs.

A. J. Dickerson and M. Truett
Farrar, Jointly & Severally

Defendants

SUMMONS AND COMPLAINT

Filed September 24 19 70

M. S. Alice Sheriff Dicks Montgomery Clerk

County, Alabama, Claim \$1.50 each for

serving 1 process(es) and \$1.00

travel expense on each of 1

process(es) or a total of \$2.50

Warren L. Finch Deputy Sheriff

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

OCT 14 1970
Received In Office

M. S. BUTLER, Sheriff

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of

the within on M. S. Amos

Secretary of State of The State of

Alabama.

This the 14 day of Oct 1970

Sheriff of Montgomery County.

M. S. Butler,

By W. L. Finch D. S.

Sheriff

Deputy Sheriff

GRADY R. WALKER d/b/a DISCOUNT WORLD TRUCK STOP VS
A. J. DICKERSON (9498)

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☒ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.	<div>1 2 3</div>	SIGNATURE OR NAME OF ADDRESSEE (<i>Must always be filled in</i>)
CERTIFIED NO. 50809		<i>A. J. Dickerson</i>
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 10-19-70		Deliver to addressee only
		SHOW WHERE DELIVERED (<i>only if requested</i>)

c55-16-71548-11 347-193 GPO

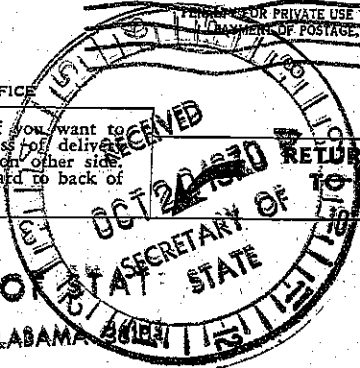
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POD Form 3811 Apr. 1969 655-16-71548-11



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



SECRETARY OF STATE
MONTGOMERY, ALABAMA