

CHARLES KERBY,

Plaintiff

-VS-

SAMMIE STALLWORTH and
JERRY BELL,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9,702

DEMURRER

Comes now the Defendant Sammie Stallworth and demurs to the complaint heretofore filed in this cause and assigns as grounds therefore the following, separately and severally, to each and every count thereof:

1. The complaint is vague.
2. The complaint is uncertain.
3. The complaint does not state a legal cause of action.
4. The complaint fails to sufficiently describe what was the joint adventure entered into between your Defendant Sammie Stallworth and the Defendant Jerry Bell.
5. The complaint fails to sufficiently describe the injuries received by Plaintiff's children.
6. The complaint fails to allege whether the injured children were upon a public highway.


ATTORNEY FOR DEFENDANT
SAMMIE STALLWORTH

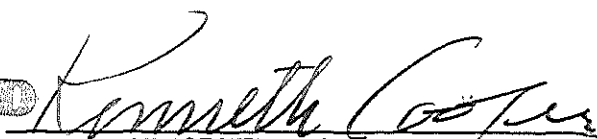
CERTIFICATE OF MAILING

I certify that I have mailed a copy of the foregoing Demurrer to Honorable C. LeNoir Thompson, 124 Courthouse Square, Bay Minette, Alabama 36507, by depositing the same in the United States Mail, postage prepaid, at Bay Minette, Alabama, on this 23rd day of February, 1971.

FILED

FILED

~~JAN 26 1971~~ FEB 26 1971


ATTORNEY FOR DEFENDANT
SAMMIE STALLWORTH

EUNICE B. BLACKMON CIRCUIT
CLERK

A

A

A

A

A

9702

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon SAMMIE STALLWORTH and JERRY BELL to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, at Law, by CHARLES KERBY, as Plaintiff, against SAMMIE STALLWORTH and JERRY BELL, as Defendants.

Witness my hand this 19 day of February, 1971.

Eunice B. Blackmon
CIRCUIT CLERK.

CHARLES KERBY,

Plaintiff,

-VS-

SAMMIE STALLWORTH and
JERRY BELL,

Defendants.

)
) IN THE CIRCUIT COURT OF

)
) BALDWIN COUNTY, ALABAMA

)
) AT LAW

)
) CASE NO. 9702

BILL OF COMPLAINT

The Plaintiff claims of the Defendants the sum of Four Thousand (\$4,000.00) Dollars as damages, for that heretofore on to-wit, October 31, 1970, the Plaintiff's child, Christopher Allen Kerby and Plaintiff's child, Charles Randall Kerby were lawfully walking along the shoulder of Old Daphne Road in the City of Bay Minette, Alabama, when the Defendants in a joint adventure, with Defendant Sammie Stallworth driving, negligently ran the automobile of Jerry Bell, who was then and there a passenger in said automobile, into Plaintiff's children named herein, injuring said children seriously and dangerously so that said children were hospitalized for a period of time, and your Plaintiff was forced to spend large sums of money in providing medical attention and hospital expenses for said children. All to his damages as aforesaid. Hence, this suit.

FILED

FEB 19 1971

E. L. Davis
ATTORNEY FOR PLAINTIFF

EUNICE B. BLACKMON CIRCUIT
CLERK

9702

Charles Kerby
Plt

vs.
Gammie Stallworth
& Jerry Bell
Def

Sheriff claims 4 + 4 miles at
Ten Cents per mile Total \$.80
TAYLOR WILKINS, Sheriff
BY Robert
DEPUTY SHERIFF

Received 02 day of Feb 19 71
and on 22 day of Feb 19 71
I served a copy of the within 8001
on Gammie Stallworth
Jerry Bell
By service on _____

TAYLOR WILKINS, Sheriff
By W. G. Bell S.
Bill

FILED

FEB 19 1971

EUNICE B. BLACKMON
CIRCUIT CLERK

C. L. Thompson