

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon G. C. Harrod to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Charles S. Duck.

Witness my hand this 26 day of April, 1971.

Defendant may be found:

Route 2, Box 125
Fairhope, Alabama

Ernie B. Blackburn
Clerk

CHARLES S. DUCK,	Ø	IN THE CIRCUIT COURT OF
Plaintiff,	Ø	BALDWIN COUNTY, ALABAMA
Vs.	Ø	AT LAW
G. C. HARROD,	Ø	NUMBER: <u>9803</u>
Defendant.	Ø	


I

Plaintiff claims of the Defendant the sum of THREE THOUSAND DOLLARS (\$3,000.00) damages for that on to-wit the 24th day of October, 1970 at the intersection of a driveway at 411 South Section Street and South Section Street a public street in the City of Fairhope, Alabama Defendant so negligently operated an automobile as to cause or allow the same to collide with the automobile of Plaintiff and that as a proximate consequence of such negligence Plaintiff's automobile was then and there bent, broken, crumpled and damaged about the body, fenders, top and frame, hence this suit.

II

Plaintiff claims of the Defendant the sum of THREE THOUSAND DOLLARS (\$3,000.00) damages for that on to-wit the 24th day of October, 1970 at the intersection of a driveway at 411 South Section Street and South Section Street a public street in the City of Fairhope, Alabama Defendant so negligently operated an automobile as to cause or allow the same to collide with the

automobile of Plaintiff and that as a proximate consequence of such negligence Plaintiff was battered, bruised, cut and injured about the head, back, neck, shoulders, arms and hands and was obliged to incur doctor bills, hospital and medical bills, hence this suit.



Attorney for Plaintiff
Wilson Hayes
P. O. Box 300
Bay Minette, Alabama

FILED

APR 26 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

9803

Charles S. Luck

vs.

G. C. Harrod

FILED

APR 26 1971

EUNICE B. BLACKMON CIRCUIT CLERK

Wilson Hayes

Sheriff claims 100 miles at
Ten Cents per mile Total \$ 10.00
TAYLOR WILKINS, Sheriff
BY J. E. P. S.
DEPUTY SHERIFF

Received 26 day of April 19 71
and on 27 day of April 19 71
I served a copy of the within 89C
on G. C. Harrod

By service on G. C. Harrod
TAYLOR WILKINS, Sheriff
By J. E. P. S. D. S.

CHARLES S. DUCK

PLAINTIFF

VSQ

G. C. HARROD

DEFENDANT

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 9803

DEMURRER

Comes now the Defendant, G. C. Harrod, in the above styled cause, and files this demurrer to each and every count thereof in the Plaintiff's complaint and sets down and assigns the following grounds separately and severally to each count:

1. The Plaintiff has failed to state a cause of action against the Defendant in his Complaint.
2. The Plaintiff has failed to sufficiently describe the location of the negligent act which he is basing his cause of action upon.
3. The Plaintiff has failed to allege whether he was a passenger or driver of said automobile or if he was occupying any automobile wherein he received the alleged personal injuries.
4. The Plaintiff has failed to sufficiently allege the place where the automobiles were located at the time of the alleged negligence of the Defendant.
5. The Plaintiff has failed to allege any negligent injuries for which the Defendant would be liable.

FILED

MAY 12 1971

EUNICE B. BLACKMON
CIRCUIT CLERK

The Defendant respectfully demands a trial of this cause by a jury.

Attorney for Defendant

Taylor Wilkins, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12 day of May 1971, 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, with first class postage prepaid.

Taylor Wilkins, Jr.

FILED

89 PAGE 477

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

April 23, 1971

Mrs. Eunice Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507

Dear Eunice:

Please file the enclosed suit styled Charles
S. Duck Vs. G. C. Harrod and have it served on
Defendant.

With kind regards, I am

Yours very truly,


Wilson Hayes

WH/ms
Enc.

9803