

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9831

TERM. 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Clara McGrew

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

CLARA MCGREW
Defendant

by WALTER S. MIXON

Plaintiff

Witness my hand this 11th day of May 1971

Ernie B. Blackmer Clerk

No. 9831

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

WALTER S. MIXON

Plaintiffs

vs.

CLARA MCGREW

(N)

Defendants

~~OFF BLFOREST RD RIGHT~~

SUMMONS AND COMPLAINT

Filed MAY 11, 1971

Eunice B. Blackmon Clerk

Moore, Moore, Downing & Layden
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Recieved In Office

May 12 1971

Taylor Wilkins Sheriff

I have executed this summons

this 15 May 1971
by leaving a copy with (R)

Clara McGrew

Sheriff claims 54 miles at
Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS Sheriff
BY W. Gook Deputy Sheriff

Taylor Wilkins Sheriff
W. Gook Deputy Sheriff

MOORE, MOORE, DOWNING & LAYDEN
LAWYERS
920 DAUPHIN STREET
P. O. BOX 4457
MOBILE, ALABAMA 36604

GEORGE J. MOORE
JAMES E. MOORE
MAURICE A. DOWNING
LIONEL L. LAYDEN

CABLE ADDRESS: LAWYER
TEL. NO.: 432-5641

September 2, 1971

Place in file
↓

Honorable John Chason
Attorney at Law
Post Office Box 120
Bay Minette, Alabama 36507

NO 9831
Re: MIXON VS. MCGREW

Dear Mr. Chason:

Enclosed you will find the Release in duplicate as
executed by Walter S. Mixon.

You are hereby authorized to dismiss the case and
have the costs taxed against the defendant.

Thanking you, I remain

Yours very truly,

Lionel L. Layden
LIONEL L. LAYDEN

LLL/jh

Enclosures: 2

Best regards
el

WALTER S. MIXON,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
CLARA MCGREW,	X	
Defendant.	X	AT LAW CASE NO. 9831

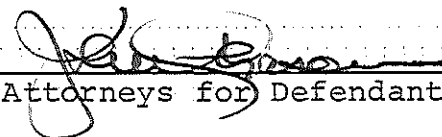
DEMURRER

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. The said Complaint does not state a cause of action.
2. That said Complaint is vague and indefinite.
3. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
4. That the place where the accident occurred is not sufficiently set out.
5. That said Complaint does not allege that the Defendant negligently allowed her automobile to run into or against the vehicle in which the Plaintiff was riding.
6. That said Complaint does not allege that the Defendant negligently permitted her automobile to run into or against the vehicle in which the Plaintiff was riding.
7. The allegation that the Plaintiff sustained multiple bruises, lacerations and personal injuries to his body does not sufficiently set out the injuries of the Plaintiff.
8. That said Complaint does not allege that the Plaintiff was employed at the time of the accident.
9. Allegation that the Plaintiff lost sums of money which he otherwise would have earned had it not been for said injuries is but a conclusion of the Pleader and does not allege

facts which would constitute a cause of action.

CHASON, STONE & CHASON

BY: 
Attorneys for Defendant

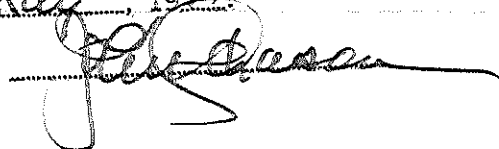
Defendant demands trial
of this cause by jury.

By: 

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 24 day

of May, 1971



FILED

MAY 24 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

DEMURRER

WALTER S. MIXON

Plaintiff,

vs.

CLARA McGREW,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 9831

WALTER S. MIXON,

Plaintiff

VS.

CLARA McGREW,

Defendant

:: IN THE CIRCUIT COURT OF

:: BALDWIN COUNTY, ALABAMA

:: AT LAW

:: CASE NO. 9831

::

COUNT ONE

The Plaintiff claims of the Defendant the sum of FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS damages for that heretofore and on to-wit, March 23, 1971, the Defendant did negligently operate an automobile on Highway # 98 near Daphne, Alabama, said highway being a public road in Baldwin County, Alabama, so as to negligently cause or allow or permit said automobile to run into, upon or against the vehicle in which the Plaintiff was riding, which said vehicle was on said Highway # 98, and as a direct and proximate consequence of said negligence of said Defendant, the Plaintiff was injured as follows:

Plaintiff sustained multiple bruises, lacerations and personal injuries to his body; the Plaintiff suffered pain as a result of said injuries and has incurred doctor and medical bills in connection with the treatment of said injuries; Plaintiff has lost sums of money which he otherwise would have earned had it not been for said injuries.

MOORE, MOORE, DOWNING & LAYDEN,
Attorneys for Plaintiff

BY: 

Lionel L. Layden

Defendant's address:

Route 2, Box 70
Daphne, Alabama

FILED

MAY 11 1971

EUNICE B. BLACKMON CIRCUIT
CLERK