

WILLIAM DRANE	§	IN THE CIRCUIT COURT OF
	§	
Plaintiff	§	BALDWIN COUNTY, ALABAMA
	§	
Vs.	§	AT LAW
	§	
ROY H. GILES, XYZ, a person,	§	
firm, partnership or corpora-	§	
tion that was the owner or	§	
operator of the automobile	§	
involved in the accident with	§	
the Plaintiff on September 6,	§	
1970, whose name or names are	§	
otherwise unknown to the	§	
Plaintiff at this time, but	§	
will be added by amendment	§	
when ascertained, jointly and	§	
severally,	§	
	§	
Defendants.	§	

CASE NO. 10,011

COUNT ONE

Plaintiff claims of the Defendants the sum of FIVE THOUSAND DOLLARS (\$5,000.00), for that heretofore and on, to-wit: September 6, 1970, the Defendants did so negligently operate a motor vehicle on State Road #104 at or near Silverhill, said road being a public road in the County of Baldwin, State of Alabama, so as to cause or allow said motor vehicle to collide with a motor vehicle owned by the Plaintiff on said State Road #104 at said time and at said place and as a direct and proximate result of the aforesaid negligence of the Defendants, the Plaintiff's wife, HELGA DRANE, who was riding as a passenger in said vehicle, suffered the following injuries and damages: she was bruised and contused; she was made sick, sore and lame; she was caused to suffer severe physical and mental pain and anguish, still so suffers and will so suffer in the future; she was caused to suffer lacerations to her body; she was caused to suffer a severe injury to her back; and as a direct and proximate result of the aforesaid negligence of the Defendants, the Plaintiff was caused to suffer the following injuries and damages: his motor vehicle was bent, broken and damaged and was caused to depreciate in value; he was caused to incur medical and hospitalization expenses in and about the care and treatment of his wife's injuries

and will be caused to incur further such expenses in the future;
he was caused to lose the companionship and consortium of his
wife over a certain period of time and will be caused to further
lose her companionship and consortium in the future; hence this
suit.

S m Brantley
Attorney for Plaintiff

Plaintiff demands a trial by jury.

S m Brantley

Defendant's Address:

Route 1, Box 270
Daphne, Alabama

FILED

AUG 30 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Roy H. Giles,

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.....

Roy H. Giles, XYZ a person, firm, partnership or corp., etc..... Defendant.....

by WILLIAM DRANE

....., Plaintiff.....

Witness my hand this..... 30th day of August 1971...

Ernie B. Blackman Clerk

249-8-71

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No. 10,011

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

WILLIAM DRANE

Plaintiffs

vs.

ROY H. GILES, XYZ

Pl 1 Box 270

Daphne

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

AUG 30 1971

TAYLOR WILKINS
SHERIFF

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Daphne

Received In Office

Aug 30

1971

Sheriff

I have executed this summons

this *8th day* 1971

by leaving a copy with

Roy H. Giles

Sheriff claims *44* miles at

Ten Cents per mile Total \$ *4.40*

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Taylor Wilkins

Sheriff

Fred Seibert

Deputy Sheriff

WILLIAM DRANE

Ø

PLAINTIFF

Ø

IN THE CIRCUIT COURT OF

vs.

Ø

BALDWIN COUNTY, ALABAMA

ROY H. GILES, ET AL.

Ø

AT LAW

DEFENDANT

Ø

CASE NO. 10,012

D E M U R R E R

COMES NOW ROY H. GILES, DEFENDANT IN THE ABOVE STYLED CAUSE, AND DEMURS TO THE COMPLAINT HERETOFORE FILED IN THIS CAUSE AND TO EACH AND EVERY COUNT THEREOF, AND AS GROUNDS FOR SAID DEMURRER, ASSIGN THE FOLLOWING, SEPARATELY AND SEVERALLY;

1. THAT SAID COMPLAINT AND ALL COUNTS THEREOF DO NOT STATE FACTS SUFFICIENT TO CONSTITUTE A CAUSE OF ACTION AGAINST THESE DEFENDANTS.

2. FOR THAT NEGLIGENCE IS ALLEGED IN COUNT ONE THEREOF MERELY AS A CONCLUSION OF THE PLEADER.

3. FOR THAT THE COMPLAINT AND EACH COUNT THEREOF IS VAGUE, INDEFINITE AND UNCERTAIN IN THAT IT DOES NOT APPRISE THESE DEFENDANTS WITH SUFFICIENT CERTAINTY AGAINST WHAT ACT OR ACTS OF NEGLIGENCE THESE DEFENDANTS ARE 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 THIS DEFENDANT VIOLATED ANY DUTY HE MAY HAVE OWED TO THE PLAINTIFF.

6. FOR THAT IT DOES NOT SUFFICIENTLY APPEAR THAT THIS DEFENDANT OWED ANY DUTY TO THE PLAINTIFF WHICH THE DEFENDANT NEGLIGENTLY FAILED TO PERFORM.

7. FOR THAT THE AVERMENTS SET UP, IF TRUE, DO NOT SHOW ANY LIABILITY ON THE PART OF THIS DEFENDANT HEREIN.

8. THE PLAINTIFF DOES NOT STATE WHAT NEGLIGENCE IS ATTRIBUTED TO WHICH DEFENDANT.

9. FOR AUGHT THAT APPEARS, THE PLAINTIFF'S INJURIES
WERE THE RESULT OF THE NEGLIGENCE OF THE PLAINTIFF.

BAILEY & TAYLOR

BY: Lloyd E Taylor
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 9-29-71
served a copy of the foregoing on T. M. BRANTLY
By mailing the same by United States Mail, Properly addressed, and First
Class Postage Prepaid.

BAILEY & TAYLOR

By: Lloyd E Taylor

FILED

OCT 5 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

WILLIAM DRANE
PLAINTIFF

Vs.

ROY H. GILES, ET. AL.
DEFENDANT

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Ø
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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

~~IN EQUITY~~
AT LAW

CASE NO. 10,011

ANSWER

COMES NOW THE DEFENDANT IN THE ABOVE STYLED CAUSE AND
FOR ANSWER TO THE BILL OF COMPLAINT, AND TO EACH COUNT THEREOF ANSWERS
AS FOLLOWS, TO-WIT:

1. NOT GUILTY

BAILEY & TAYLOR

By: 

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 9-13-72
served a copy of the foregoing on T. M. BRANTLEY.
By mailing the same by United States Mail, Properly addressed, and First
Class Postage Prepaid.

BAILEY & TAYLOR

By: 

This Instrument Prepared
By Bailey & Taylor
Attorneys At Law
Fairhope, Alabama

FILED

SEP 14 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

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HARRY J. WILTERS, JR.
TOLBERT M. BRANTLEY

LAW OFFICES OF
WILTERS & BRANTLEY
P. O. BOX 968
BAY MINETTE, ALABAMA 36507

PHONE
BAY MINETTE 937-5533


October 10, 1972

Mrs. Eunice Blackmon
Circuit Clerk
Bay Minette, Alabama

Dear Mrs. Blackmon:

Please set the case of Drane v. Giles, #10,012/on the and 10,011
next jury docket.

Yours truly,


T. M. Brantley

TMB/jcw