

SUMMONS AND COMPLAINT

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

IN THE CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon Lester T. Allen of Route 1, Box 111, Daphne, Alabama to appear in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, within thirty days (30) from the service of this writ, then and there to answer to the complaint of U. V. Rambo, Jr.

Witness my hand this 21 day of September, 1971.

*Eunice B. Blackmon*  
Clerk of the Circuit Court

\* \* \* \* \*

U. V. RAMBO, JR., )  
PLAINTIFF, )  
LESTER T. ALLEN, )  
DEFENDANT. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

CASE NO. 10,032

The Plaintiff claims of the defendant the sum of Three Hundred Thirty-five and 98/100 (\$335.98) Dollars due as damages for that heretofore on, to-wit: 15th of August, 1970 at a point in Spanish Fort, Alabama, in Baldwin County, Alabama, at or near the parking area of the Malbis Ballpark, the defendant then and there on that occasion, so wantonly operated the vehicle which he was then driving as to cause or allow the same to run into, on or against the vehicle of the plaintiff and as a proximate consequence of said wanton act the plaintiff's vehicle, one 1968 Ford Falcon Futura was bent, dented, damaged, demolished and rendered greatly less valuable, all as a proximate result of the wanton negligence of the defendant, hence this suit.

BROOKS, GARRETT & THOMPSON

FILED

SEP 21 1971

BY: *[Signature]*  
Attorneys for Plaintiff

EUNICE B. BLACKMON CIRCUIT CLERK

10,032

U. V. Rambo, Jr.

vs.

Hester J. Allen

Rt 1 Box 111  
Busby Road  
1 mile down

FILED

SEP 21 1971

EUNICE B. BLACKMON  
CIRCUIT CLERK

SEP 21 1971

TAYLOR WILKINS  
SHERIFF

Brooks, Garrett + Thompson

Received 21 day of Sept. 1971  
and on 23 day of Sept. 1971  
I served a copy of the within  
on Hester J. Allen

Ten Cents per mile Total \$ 44 miles 43  
TAYLOR WILKINS Sheriff  
DEPUTY SHERIFF

By service on Hester J. Allen

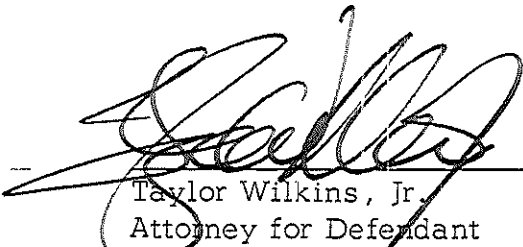
TAYLOR WILKINS Sheriff  
By [Signature] D.S.

U. V. RAMBO, JR. X IN THE CIRCUIT COURT OF  
PLAINTIFF X BALDWIN COUNTY, ALABAMA  
VS X AT LAW  
LESTER T. ALLEN X  
DEFENDANT X CASE NO: 10,032

DEMURRER

Comes now the Defendant, Lester T. Allen, 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:

1. The Plaintiff has failed to state a cause of action against the Defendant.
2. From aught that appears from the Plaintiff's complaint he has failed to sufficiently allege the point or place where the accident took place.
3. From aught that appears from the Plaintiff's complaint it does not appear the Defendant owed any duty to the Plaintiff.
4. The allegations in the Complaint are mere conclusions of the pleader.

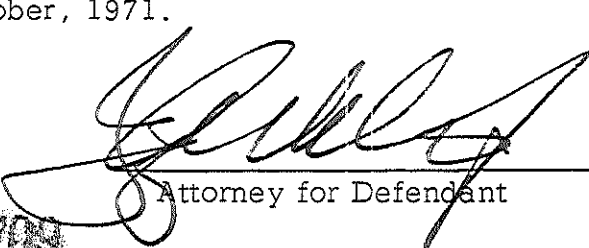
  
Taylor Wilkins, Jr.  
Attorney for Defendant

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

  
Taylor Wilkins, Jr.

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I have on this the 20th day of October, 1971, forwarded a true and exact copy of the foregoing demurrer to Brooks, Garrett & Thompson, Attorneys at Law, Brewton, Alabama, attorneys of record for the Plaintiff, by mailing the same in the United States Post Office, properly addressed, with the postage paid thereon.

DONE this the 20th day of October, 1971.

  
Attorney for Defendant

FILED

OCT 22 1971

EUNICE B. BLACKMON CIRCUIT CLERK

#VOL

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BROOKS, GARRETT & THOMPSON  
ATTORNEYS AT LAW  
P. O. Box 387  
BREWTON, ALABAMA

LEON G. BROOKS (1969)  
BROOK G. GARRETT  
JOE B. THOMPSON, JR.  
EVERETTE A. PRICE, JR.

TELEPHONE  
AREA CODE 205  
867-6063

March 29, 1972

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

Re: U. V. Rambo, Jr. vs.  
Lester T. Allen

Dear Mrs. Blackmon:

After careful consideration of this cause, I have been advised by my client that I have permission to request that this case be dismissed with prejudice on motion of the plaintiff and that you send to me the balance of any court cost due to your court at this time.

Thank you for your cooperation.

Yours very truly,

  
EVERETTE A. PRICE, JR.

EAP, JR/wh

BROOKS, GARRETT & THOMPSON  
ATTORNEYS AT LAW  
P.O. Box 387  
BREWTON, ALABAMA

LEON G. BROOKS (1969)  
BROOK G. GARRETT  
JOE B. THOMPSON, JR.  
EVERETTE A. PRICE, JR.

TELEPHONE  
AREA CODE 205  
867-6063

September 20, 1971

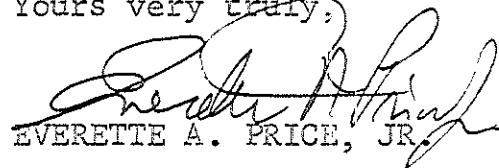
Eunice Blackmon  
Clerk of the Circuit Court  
Baldwin County, Alabama  
Bay Minette, Alabama 36507

10,032

Dear Mrs. Blackmon:

Please find enclosed the original and a copy of a summons and complaint, which we request that you file for us. Please also find enclosed our check made payable to you in the amount of \$17.50 for advance court cost. If this is not a sufficient amount, then please notify me and I will send whatever additional charges are necessary in order to have the case properly filed. Thanking you for your assistance.

Yours very truly,

  
EVERETTE A. PRICE, JR.

EAP, JR/wh

Enclosure

540  
130  
410  
6.90  
10.50  
4.50  
21.90