

ROSIE LEE WALTON,	:	IN THE CIRCUIT COURT
Plaintiff,	:	OF BALDWIN COUNTY,
vs.	:	ALABAMA
SOUTH BALDWIN HOSPITAL OF	:	
FOLEY, ALABAMA, and JOHN	:	
DOE, the person or corporation	:	
who owns or operates the hospital	:	
in Foley, Alabama, in which the	:	
hereinafter described incident	:	
occurred;	:	
Defendants.	:	CASE NO. 10035

COUNT ONE

Plaintiff claims of the defendants the sum of Two Hundred Fifty and no/100 (\$250.00) Dollars for the breach of an implied contract to protect her and her property while she was a patient in said hospital from September 25 to October 3, 1970. The plaintiff while in said hospital on said dates was required to remove her dentures as she was under sedation and other medication, and while said dentures were removed and in said hospital they were lost, misplaced, or negligently or inadvertently disposed of, wherefore, the plaintiff brings this suit and asks damages in the aforementioned amount.

COUNT TWO

Plaintiff claims of the defendant the sum of Two Hundred Fifty and no/100 (\$250.00) Dollars for that heretofore on, to-wit, while she was a patient in the hospital operated by the defendants, they so negligently conducted their business as to cause or allow her dentures, which she had been required to remove from her mouth while in said hospital, to be negligently lost or disposed of, wherefore, she brings this suit and asks damages in the

aforementioned amount.

JOHNSTON, JOHNSTON & KENDALL
Attorneys for Plaintiff

By William E. Johnston
William E. Johnston

Plaintiff demands trial by jury.

William E. Johnston

Defendants may be served at:

South Baldwin Hospital
Foley, Alabama

FILED

SEP 24 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 10,039

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon South Baldwin Hospital of Foley, Alabama

.....
.....
.....
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.....

..... South Baldwin Hospital of Foley, Alabama, and John Doe,, Defendant.....

by Rosé Lee Walton

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

Witness my hand this..... 24th day of..... September 19 71

Emmie B. Blackmore, Clerk

(1)

No. 10,039

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ROSIE LEE WALTON

Plaintiffs

vs.

SOUTH BALDWIN HOSPITAL OF FOLEY,
ALABAMA, AND JOHN DOE

Defendants

SUMMONS AND COMPLAINT

Filed 9/24/71 19.....

Eunice B. Blackmon Clerk

Johnston, Johnston & Kendall

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

SEP 24 1971

TAYLOR WILKINS

SHERIFF

19.....

Sheriff

I have executed this summons

this Oct. 1 1971

by leaving a copy with

South Baldwin
Hospital
Munich, Germany

Sheriff claims 72 miles of

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY Deputy Sheriff

Taylor Wilkins, Sheriff

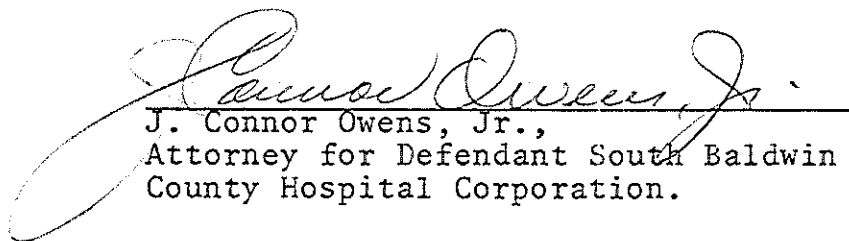
Deputy Sheriff

ROSIE LEE WALTON,	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
vs.	)	
	)	BALDWIN COUNTY, ALABAMA
SOUTH BALDWIN HOSPITAL OF	)	
FOLEY, ALABAMA, and JOHN DOE,	)	AT LAW. NO. 10,039
the person or corporation who	)	
owns or operates the hospital	)	
in Foley, Alabama, in which the	)	
hereinafter described incident	)	
occurred,	)	
Defendants.	)	

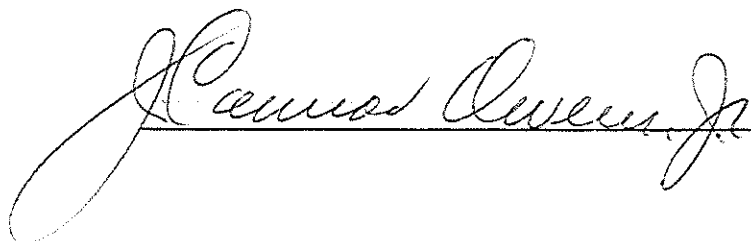
PLEA IN ABATEMENT:

Now comes the Defendant, and appearing specially for the purpose of filing this Plea in Abatement, and for no other purpose, and say that this case should be abated for that the correct name of the Defendant served in this case is SOUTH BALDWIN COUNTY HOSPITAL CORPORATION, a Governmental Corporation;

WHEREFORE, Defendant prays that said summons and complaint in this cause be quashed and the case abated and that the Defendant be allowed to go hence with costs in its behalf expended.


 J. Connor Owens, Jr.,
 Attorney for Defendant South Baldwin
 County Hospital Corporation.

I, the undersigned, Attorney of Record for the Defendant in the above styled cause, do hereby certify that I have caused a copy of the foregoing plea in abatement to be served on William E. Johnston, the Attorney of Record for the Plaintiff in said cause, by placing the same in the United States Mail, properly addressed, with postage prepaid, this 8th day of October, 1971.



FILED

OCT 11 1971

EUNICE B. BLACKMON CIRCUIT CLERK