

Wells 10, 184⁹⁰⁷²
Baldwin

Floyd Cook, Jr.

Res.

0114

John W. Stevenson
4255 Harlanth Ct

REC'D SHERIFF DEPT
MOBILE COUNTY, AL
JAN 10 8 11 AM '72
BY

EXECUTED

This 11 day of Jan, 1972
by serving a copy of the within on

John W. Stevenson
RAY D. BRIDGES, Sheriff

By *J. G. Wells* D.S.

FILED

JAN 7 - 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

JAN 7 1972

TAYLOR, VERNER
SHERIFF

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

January 6, 1972

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

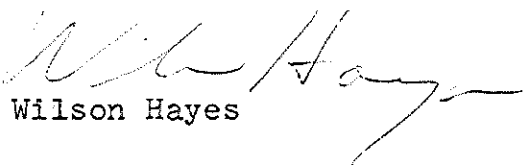
10,184
10,185

Dear Eunice:

• Please file the enclosed suits for Floyd Cooks,
Jr. against John W. Stevenson.

With kind regards, I am

Yours very truly,


Wilson Hayes

mm
Enc.

FLOYD COOKS, JR.,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
JOHN W. STEVENSON,)	
Defendant.)	CASE NUMBER 10,184

D E M U R R E R

Comes now each of the following defendants,

separately and severally, and demurs to the plaintiff's complaint filed herein and each count thereof, separately and severally, and for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute a cause of action against this defendant.
2. For that negligence is therein alleged merely as a conclusion of the pleader.
3. For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence defendant is 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 owed by defendant to the plaintiff.
6. For that it does not sufficiently appear that this defendant owed any duty to the plaintiff which defendant negligently failed to perform.

7. For that the averments set up, if true, do not show any liability on the part of the defendant.

8. For that the pleader sets out in what said negligence consisted, and the facts so set out do not show negligence.

9. For that there does not appear sufficient causal connection between this defendant's said breach of duty and plaintiff's injuries and damages.

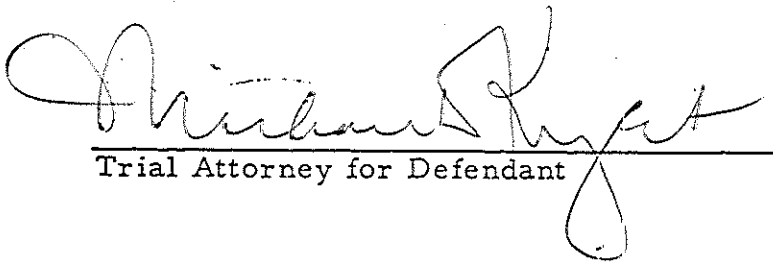
10. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

11. It is not alleged with sufficient certainty where said accident occurred.

12. For aught that appears, plaintiff had no right to be where plaintiff was at the time and place of said accident.

13. It is not alleged that the negligence complained of proximately caused the accident and the injuries and damages complained of.

14. For that said count is duplicitous.


Trial Attorney for Defendant

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing "Demurrer" to Wilson Hayes, Esquire, Attorney for the Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Bay Minette, Alabama, on this, the 7 day of February, 1972.

Michael A. Ryz

FILED

FEB 8 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

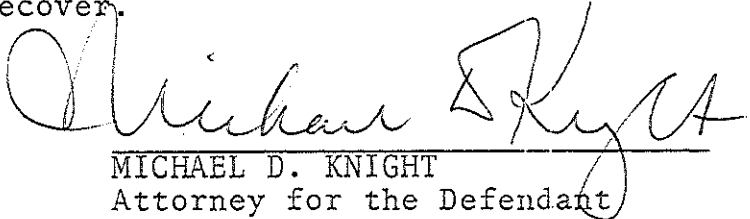
FLOYD COOKS, JR.,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
JOHN W. STEVENSON,)	
Defendant.)	CASE NO. 10,184

A N S W E R

Comes now the defendant in the above-styled cause, John W. Stevenson, and for answer to the plaintiff's complaint and each count thereof, separately and severally, files the following separate and several pleas, separately and severally:

1. Not guilty.
2. The material allegations are untrue.

3. The defendant avers that at the time and place alleged in the plaintiff's complaint, to-wit, January 15, 1971, the plaintiff was guilty of negligence which proximately contributed to his alleged injuries and damages in that at said time the plaintiff's motor vehicle was being operated on or upon U. S. Highway 31 at its intersection with the Malbis Cutoff Road in Baldwin County, Alabama which said roads are public roads in Baldwin County, Alabama, and at said time and place the plaintiff so negligently operated his motor vehicle as to cause or allow the same to collide with the defendant's motor vehicle; hence, plaintiff ought not recover.

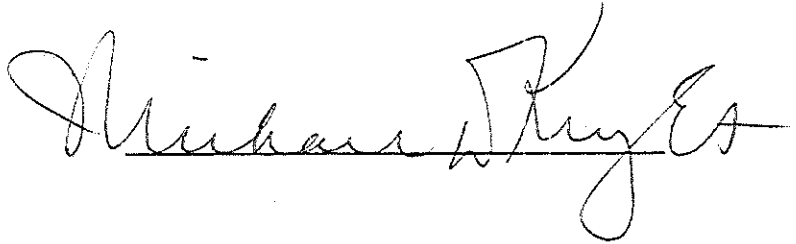

 MICHAEL D. KNIGHT
 Attorney for the Defendant

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing "Answer" to Wilson Hayes, Esquire, Attorney for the Plaintiff, by depositing a copy of same in the United States mail, postage pre-paid, addressed to said attorney at his office in Bay Minette, Alabama, on this, the 16 day of May, 1972.



FILED

MAY 17 1972

EUNICE B. BLACKMON CIRCUIT
CLERK