

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Sherwood O. Brown to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Janice M. Humphrey.

WITNESS my hand this 24 day of March, 1972.

Emmie B. Blackmon
Clerk

JANICE M. HUMPHREY,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
SHERWOOD O. BROWN,	X	AT LAW
Defendant.	X	10,314

COUNT ONE

The Plaintiff claims of the Defendant Thirty Thousand Dollars (\$30,000.00) as damages for that on, heretofore, to-wit: the 15th day of May, 1971, at a point on U. S. Highway 31 approximately 200 feet West of the intersection thereof with Alabama Highway 225, and which point is a public highway in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into, upon and against an automobile being then and there operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid, the Plaintiff was severely and painfully

injured and damaged in this: the lumbosacral and cervical areas of her spine were injured, the muscles and ligaments in her back were injured and damaged, her left shoulder was injured and damaged, she was caused to suffer great pain and anguish and continues to suffer great pain, anguish and discomfort as a result of said injuries to her back and spine, she was hospitalized and caused to be placed in traction for a period of approximately ten (10) days, she is unable to do her normal housework and has had to employ additional help, she can not assist her husband in his business to the same extent that she was able to do prior to the accident, she was caused to incur hospital, medical, doctor and drug bills in and about the care and treatment of her injuries and she has been made sick and sore, all as a proximately consequence and result of the negligence of the Defendant aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant Thirty Thousand Dollars (\$30,000.00) as damages for that on, heretofore, to-wit: the 15th day of May, 1971, at a point on U. S. Highway 31 approximately 200 feet West of the intersection thereof with Alabama Highway 225, and which point is a public highway in Baldwin County, Alabama, the Defendant wantonly injured the Plaintiff by then and there so wantonly operating a motor vehicle as to cause the same to run into, upon and against the automobile then and there being operated by the Plaintiff and as a proximate consequence and result of the wanton misconduct of the Defendant, the Plaintiff was wantonly injured and damaged in this: the lumbosacral and cervical areas of her spine were injured, the muscles and ligaments in her back were injured and damaged, her left shoulder was injured and damaged, she was caused to suffer great

pain and anguish and continues to suffer great pain, anguish and discomfort as a result of said injuries to her back and spine, she was hospitalized and caused to be placed in traction for a period of approximately ten (10) days, she is unable to do her normal housework and has had to employ additional help; she can not assist her husband in his business to the same extent that she was able to do prior to the accident, she was caused to incur hospital, medical, doctor and drug bills in and about the care and treatment of her injuries and she has been made sick and sore, all as a proximate consequent and result of the wanton misconduct of the Defenant aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

The Plaintiff respectfully
demands a trial of this cause
by a jury.

FILED

MAR 24 1972

CHASON, STONE & CHASON


By: 
Attorneys for Plaintiff

EUNICE B. BLACKMON CIRCUIT
CLERK

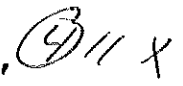
Defendant may be served at
2864 Shelley Drive
Mobile, Alabama 36609

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
MAR 23 8 23 AM '72

10,314
Balance:
9214

JANICE M. HUMPHREY,

Plaintiff,

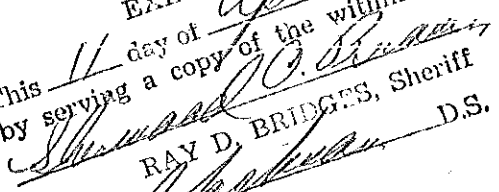
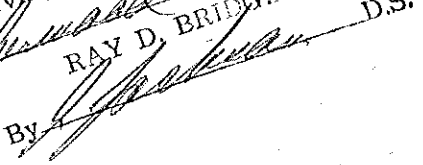
vs.

SHERWOOD O. BROWN, 
Defendant.

* * * * *

SUMMONS AND COMPLAINT

* * * * *

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

RAY D. BRIDGES, Sheriff
By  D.S.

FILED

MAR 24 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

MAR 27 1972

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

JANICE M. HUMPHREY,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
v.	:	AT LAW
SHERWOOD O. BROWN,	:	
Defendant.	:	CASE NO. 10,314

DEMURRER

Comes now Sherwood O. Brown, defendant in the above captioned cause, and demurs to the complaint of the plaintiff and each count thereof, separately and severally, and as grounds of said demurrer sets down and assigns the following, separately and severally, to-wit:

1. For that it does not state facts sufficient to constitute a cause of action.
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 the 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, defendant may have owed to the plaintiff.
5. For that it does not appear with sufficient certainty wherein defendant violated any duty he may have owed to the plaintiff.
6. For that it does not sufficiently appear that defendant owed any duty to the plaintiff which defendant negligently failed to perform.
7. For that there does not appear sufficient causal connection between defendant's said breach of duty and plaintiff's injuries and damages.
8. For that 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 the defendant.
9. For that it is not alleged with sufficient certainty where said accident occurred.

10. For that it is not alleged that the negligence complained of proximately caused the accident, the injuries and damages complained of.

11. For that the averments thereof are conflicting and repugnant.

12. For that no causal connection appears between the defendant's alleged negligence and the injuries and damages complained of by the plaintiff.

13. For that it is not alleged that the willful or wanton conduct complained of proximately caused the accident, the injuries and damages complained of.

14. For that the facts averred in said complaint do not constitute willful or wanton negligence.

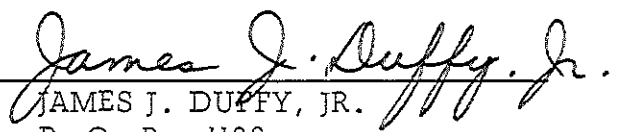
15. For aught that appears from said complaint, plaintiff's injuries and damages were not the direct and proximate result of any willful or wanton negligence on the part of this defendant.

16. For that it is not alleged that this defendant willfully or wantonly injured the plaintiff.

17. For that the willful or wanton conduct complained of is but the conclusion of the plaintiff with no facts alleged in support thereof.

INGE, TWITTY, DUFFY & PRINCE

By


JAMES J. DUFFY, JR.
P. O. Box 1109
Mobile, Alabama 36601

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 28th day of April, 1972.

FILED

MAY 1 1972

EUNICE B. BLACKMON CIRCUIT CLERK


JAMES J. DUFFY, JR.

The figure is a map of the northern Adriatic Sea. The coastline of Italy is shown on the left and bottom. Sampling stations are indicated by numbers 1 through 15. Station 1 is near the Italian coast, and stations 2 through 15 are distributed across the sea. The map includes latitude coordinates (44° 30' N, 45° 00' N, 45° 30' N, 46° 00' N) and longitude coordinates (12° 30' E, 13° 00' E, 13° 30' E, 14° 00' E).

[illegible]

REPORT PREPARED FOR THE U.S. DEPT. OF AGRICULTURE

[illegible]

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$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

10,314

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III
JOHN N. LEACH, JR.
GEORGE H. MCKEAN

MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA
36602

MAILING ADDRESS:
P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:
TWINING
TELEPHONE
433-5441

April 28, 1972

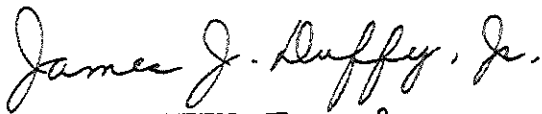
Mrs. Eunice B. Blackmon
Clerk, Circuit Court of Baldwin County
County Courthouse
Bay Minette, Alabama

Re: Janice M. Humphrey v.
Sherwood O. Brown
Case No. 10,314

Dear Mrs. Blackmon:

Please file the demurrer which is enclosed herewith in the above captioned case and mark the carbon copy which I am also enclosing herewith "filed" and return the same to me in the enclosed envelope for my records.

Yours cordially,


JAMES J. DUFFY, JR. *sd*

JJDjr.pd

Encs.