

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Sara McLarry Lee, 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 the same, then and there to answer the complaint of Donnie Daniel Lambeth, a minor, by James Lambeth, his next of friend.

Witness my hand, this the 21 day of April, 1972.

Eunice B. Blackburn
Clerk

DONNIE DANIEL LAMBETH,
a minor, by JAMES
LAMBETH, his next of
friend,

Plaintiff,

vs.

SARA McLARRY LEE,

Defendant.

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1.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,358

The Plaintiff, a minor, suing by and through his next of friend, James Lambeth, claims of the Defendant, the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, for that heretofore on, to-wit: the 1st day of March, 1972, at a point .3 miles North of the junction of Alabama Highway #180 and 59, on the Detour portion of old Alabama Highway #3, in the Town of Gulf Shores, Baldwin County, Alabama, the Plaintiff was driving a motor vehicle on said highway, a place where he had a right to be, and while he was driving along said public highway, the Defendant negligently drove a motor vehicle into the motor vehicle the Plaintiff was driving, and as a direct, proximate result of the Defendant's negligence, the Plaintiff was injured and damaged

as follows: He sustained serious lacerations of the mouth, his right shoulder was dislocated, he sustained a serious contusion of the right knee, he received a head concussion; he was bruised and wrenched and sprained about the body and his whole physical being was shaken and shocked, and he was made sick and sore, and was caused to suffer great physical and mental anguish; he received permanent injuries of the aforementioned negligence of the Defendant; he was hospitalized to treat his injuries and was caused to lose time from school and work, all as a result of the Defendant's negligence.

WILTERS & BRANTLEY

BY: 

Attorneys for Plaintiff

Defendant's address is:

Gulf Shores, Alabama

FILED

APR 21 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

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#10,358

APR 21 1972

TAYLOR WILKINS
SHERIFF

By service on

on Sara Mc Larry Lee

Received May 10 1972

I served copy of the within

TAYLOR WILKINS Sheriff
W. C. W. C.

Donnie Daniel Lambeth,
a minor, by James
Lambeth, his next of
friend

vs.

Sara Mc Larry Lee

FILED

APR 21 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

Sheriff claims 100 miles at
Ten Cents per mile Total \$ 100
TAYLOR WILKINS, Sheriff
BY [Signature] DEPUTY SHERIFF

Walters & Brantley

July 10, 1973

We the Jury find in favor of the
Plaintiffs, Donnie Daniel Lambeth and
James Lambeth in Cases No 10356 and
10358 and award damages in the sum
of \$1,750.⁰⁰

J. Marvin Kelly
Foreman

DONNIE DANIEL LAMBETH,
a minor, by JAMES
LAMBETH, his next of
friend,

Plaintiff,

SARA McLARRY LEE,

Defendant,

X

X

X

X

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X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,358

Comes now Donnie Daniel Lambeth, a minor, by James Lameth,
his next of friend, and by way of answer to the recoupment filed
by the Defendant in the above styled cause, says:

1.

That the accident which occurred on March 1, 1972, did
occur at a point approximately .3 miles North of the junction
of Alabama Highway 180 and 59, but that it did not occur on the
new four lane highway leading from the canal to the aforementioned
intersection; that the new four lane highway was under construction
and that portion of the road was closed. Further that the Plaintiff
was traveling, at said time and place alleged in his Bill of Complaint,
on a detour road designated by the Highway Department of the State
of Alabama, and that the Defendant was negently driving on the
closed portion of the road alleged in her answer, at which time
she neglegently drove from said closed portion of the road into
the automobile driven by the Plaintiff, while he was traveling
on the designated detour road, where he had a right to be.

2.

For further answer to the Bill of Recoupment, the Plaintiff
says that at the time and place complained of, the Defendant,
Sara McLarry Lee, was guilty of negligence which was the proximate
cause of her injuries and damages in that she was negligently
driving on a closed portion of a State Highway 59, which was under
construction, into the detour lane of trafic which the Plaintiff
was traveling, and that she drove her said vehicle into the side
of the motor vehicle being driven by the Plaintiff, thereby causing
her injuries and damages, hence, she should not recover in this
Bill of Recoupment.

FILED

JAN 29 1973

UNICE B. BLACKMON CIRCUIT
CLERK

WILTERS & BRANTLEY

BY: 

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 21 day of January,
1921, served a copy of the foregoing pleading in counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

By: Ray J. Wilters, Jr.

DONNIE DANIEL LAMBETH,
a minor, by JAMES
LAMBETH, his next of
friend,

Plaintiff,

vs.

SARA McLARRY LEE,
Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 10,358

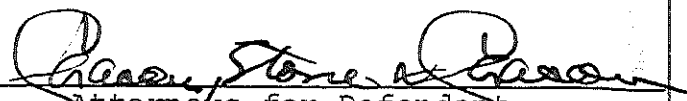
Comes now the Defendant in the above styled cause and
for plea to the Complaint filed in said cause, separately and
severally, says:

1. Not guilty.

2. That at the time and place complained of in the
Complaint, Donnie Daniel Lambeth was guilty of negligence which
was the proximate cause of his injuries and damages in that he
negligently drove a motor vehicle into the lane of travel in which
the Defendant was then and there driving an automobile and im-
mediately in front of and against such automobile, thereby causing
his injuries and damages, hence he should not recover in this suit.

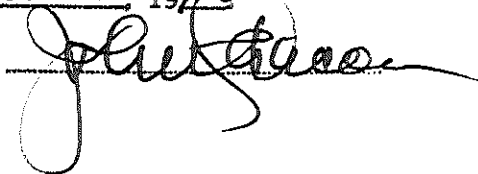
3. By way of recoupment, the Defendant claims of the
Plaintiff, the sum of Two Thousand Five Hundred Dollars (\$2,500.00)
as damages for that on, to-wit: March 1, 1972, at a point about
.3 miles North of the junction of Alabama Highway 180 and 59 on
the new four lane highway leading from the Canal to such inter-
section in the Town of Gulf Shores, Baldwin County, Alabama, while
the Defendant was driving a motor vehicle in a Southerly direction
on such highway, where she had a right to be, at which time and
place the Plaintiff, Donnie Daniel Lambeth, negligently drove a
motor vehicle immediately in front of and against the motor
vehicle which the Defendant was driving and as a proximate result

of the negligence of Donnie Daniel Lambeth, the Defendant was injured and damaged in this: she received severe bruises and contusions; she suffered severe mental and physical pain and anguish; she was bruised and sprained about her body; she was made sick and sore; and was caused to incur medical expenses, all to her damages in the sum above mentioned.


Attorneys for Defendant

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 8 day of Nov., 1972



FILED

NOV 8 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

DONNIE DANIEL LAMBETH, a minor,
by JAMES LAMBETH, his next of
friend,

Plaintiff,

vs.

SARA McLARRY LEE,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 10,358

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PLEA

* * * * * **FILED** * * * * *

NOV 8 1972

ELNICE B. BLACKMON CIRCUIT
CLERK

FILED

NOV 8 1972

CLERK OF THE COURT

DONNIE DANIEL LAMBETH, a
minor, by JAMES LAMBETH,
his next of friend,

Plaintiff,

vs.

SARA McLARRY LEE,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 10,358

DEMURRER

Comes the Defendant in the above styled cause and demurs
to the Complaint filed in said cause and assigns the following
separate and several grounds, viz:

1. That said Complaint does not state a cause of
action.
2. That said Complaint does not allege the age of
Donnie Daniel Lambeth.
3. That the allegations of the Complaint are vague and
indefinite.
4. His injuries are not properly set out.
5. The allegation that "he received permanent injuries
of the aforementioned negligence of the Defendant" is vague and
does not properly inform the Defendant as to what injuries are
claimed.
6. That said Complaint fails to allege that the Plain-
tiff was employed at the time of his injuries and was thereby
caused to lose time from his employment.
7. Said Complaint fails to allege that the Plaintiff
was a student in school at the time of his injuries and was caused
to lose time from school as a result of his injuries.
8. That said Complaint does not allege any duty owing

by the Defendant to the Plaintiff.

CHASON, STONE & CHASON

BY:

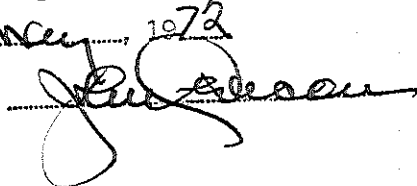

Attorneys for Defendant

Defendant respectfully demands
trial of this cause by jury.


Attorneys for Defendant

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 25th day
of May, 1972



FILED

MAY 25 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

DONNIE DANIEL LAMBETH, a
minor, by JAMES LAMBETH,
his next of friend,

Plaintiff,

vs.

SARA McLARRY LEE,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 10,358

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DEMURRER

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PROBATE JUDGE

Nº 618

Bay Minette, Ala., 8-24, 1972

Received of Eunice B. Blockman, Circuit Clerk
& Harry J. Winters, Attorney

[illegible]

FOR RECORD

Thanks
 Fid. Bk. 31
 Pg. 8

Harry D'Oliver TOTAL \$ 750
JUDGE OF PROBATE.