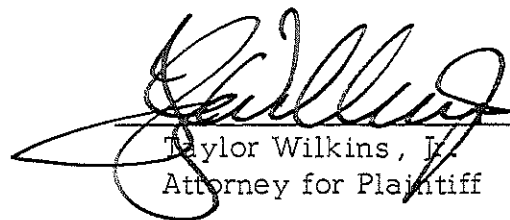


BETTY DIANE JOHNSON	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW
EVA J. VAUGHN	X	
DEFENDANT	X	CASE NO: 10,360

COMPLAINT

Plaintiff claims of the Defendant the sum of TWO HUNDRED (\$200.00) DOLLARS as damages for that heretofore on, to-wit, April 28, 1971, the Terry Wayne Johnson was operating the Plaintiff's automobile on Alabama Highway No. 42, at a point approximately to-wit, 8.5 miles West of Mobile, Alabama, and Defendant, Eva J. Vaughn, so negligently operated a motor vehicle on said Highway at the place aforesaid, in Baldwin County, Alabama, that the said automobile then and there collided with the automobile which the said Terry Wayne Johnson, was then and there operating, and as a proximate result of the negligence of the Defendant as aforesaid, Plaintiff's automobile was damaged and rendered less valuable, all to her damage in the sum as aforesaid, hence this suit.

  
Taylor Wilkins, Jr.  
Attorney for Plaintiff

Defendant may be served at:

Theodore, Alabama

FILED  
APR 21 1972  
EUNICE B. BLACKMON CIRCUIT CLERK

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. ....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon EVA J. VAUGHN

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.....

EVA J. VAUGHN

Defendant.....

by BETTY DIANE JOHNSON

Plaintiff.....

witness my hand this 9 day of April 19 72

Eunice B. Blackmon, Clerk

421  
N. 10,360

9274  
Page.....

STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

Betty Diane Johnson

Plaintiffs

Eva J. Vaughn

Defendants

SUMMONS AND COMPLAINT

Filed ..... 19.....

Clerk

APR 21 1972

FILED

APR 21 1972

EUNICE B. BLACKMON  
CIRCUIT CLERK

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

MOBILE COUNTY, ALA.  
13 AM  
Defendant lives at  
Theodore, Alabama

Received In Office

19.....

Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

EXECUTED  
This day of May 1972  
by serving a copy on the within on  
RAY D. BRIDGES, Sheriff  
BY [Signature]  
D.S.

Sheriff

Deputy Sheriff



BROWN, HUDGENS, FULFORD, SINTZ & RICHARDSON  
ATTORNEYS AT LAW

SUITE 210 VAN ANTWERP BUILDING

MOBILE, ALABAMA

36602

ALTON R. BROWN, JR.  
A. NEIL HUDGENS  
JAMES E. FULFORD  
PETER V. SINTZ  
JOHN D. RICHARDSON, III  
J. GEORGE WHITFIELD, JR.  
CLAUDE D. HARRELL  
DANIEL A. PIKE

AREA CODE 205  
432-2792

October  
2nd  
1973

Clerk, Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

RE: Betty Diane Johnson vs. Eva J. Vaughn  
Case No. 10,360

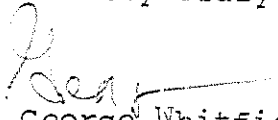
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Dear Sir:

Please serve the enclosed answer in the above referenced case by serving his attorney; Taylor D. Wilkins, Jr., Esquire, P. O. Box 61, Bay Minette, Alabama.

We appreciate your time and consideration in this matter.

Yours very truly,

  
J. George Whitfield, Jr.  
For the Firm

J  
G  
W  
/sa

Enclosure

FILED

OCT 8 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

BETTY DIANE JOHNSON,	*	IN THE CIRCUIT COURT OF
Plaintiff,	*	BALDWIN COUNTY, ALABAMA
vs.	*	AT LAW
EVA J. VAUGHN,	*	
Defendant.	*	CASE NO. <u>10,360</u>

DEMURRER

Comes now Defendant, EVA J. VAUGHN, in the above styled cause and demurs to the Plaintiff's Complaint, and as grounds therefore assigns separately and severally the following, to-wit:

1. For aught that appearing said accident occurred on private property and said Defendant owed no legal duty to the said Plaintiff.
2. For aught that appearing said accident did not occur on a public highway.
3. For aught that appearing said Plaintiff was a trespasser.
4. For that said complaint fails to allege that said accident occurred on a public highway.
5. Sufficient facts are not alleged therein to state a claim upon which relief can be granted.
6. The allegations set forth therein are mere conclusions of the pleader unsupported by sufficient averments of fact.
7. The allegations set forth therein are so vague, uncertain and indefinite that said Defendant is not sufficiently apprised of what she is called upon to defend against in this cause.
8. For aught appearing therein, said Defendant owed no legal duty to the Plaintiff at the time and place complained of.
9. Sufficient facts are not alleged therein to show the existence of any legal duty owing from said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained of therein.
10. For aught appearing therein, said Defendant did not breach any legal duty owed by said Defendant to the Plaintiff at the time and place complained of.
11. Sufficient facts are not alleged therein to show the breach of any legal duty owing by said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained

of therein.

12. For aught appearing therein, Plaintiff's damages and injuries complained of were not proximately caused by the breach on the part of said Defendant of any legal duty owing by said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained of therein.

13. Sufficient facts are not alleged therein to show a sufficient causal connection between the Plaintiff's damages and injuries complained of therein and the breach of any legal duty owing by said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained of therein.

14. It does not sufficiently appear therein that the Plaintiff's damages and injuries complained of therein were proximately caused by the breach of any legal duty owing by said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained of therein.

15. Said Defendant did not breach any legal duty owing by said Defendant to the Plaintiff at the time and place complained of therein.

16. Sufficient facts are not alleged therein to show the breach of any legal duty owing by said Defendant to the Plaintiff at the time and place and with respect to the matters and things complained of therein.

FILED

JUN 8 1972

EUNICE B. BLACKMON CIRCUIT CLERK

BROWN, HUDGENS, FULFORD,  
SINTZ & RICHARDSON  
Attorneys for the Defendant,  
Eva J. Vaughn

BY

JOHN D. RICHARDSON, III

DEFENDANT REQUESTS TRIAL BY JURY.

BY

JOHN D. RICHARDSON, III

CERTIFICATE OF SERVICE

The only other  
address we could  
ascertain is  
P.O. Box 195  
Theodore, Ala.

Bay Minette, Ala., April 21 1972

To the Sheriff of Mobile County, Mobile, Alabama

I enclose herewith SAC for service  
on Don J. Vaughn, Theodore,  
Alabama

Thanks!

Dwight Wilkins  
Sheriff, Baldwin County, Alabama

Please, serve and return as early as possible.  
MOBILE COUNTY DEPT  
REC'D SHERIFF DEPT  
APR 25 6 57 AM '72

Need better address  
(If not found in your county, please advise promptly giving information as to present location if possible)