

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 James Larry Bonner and Douglas Pierce 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 Lola D. Ryan.

Witness my hand this 23 day of June, 1972.

Emmie B. Blackmon
Clerk

LOLA D. RYAN,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

X

vs.

X

BALDWIN COUNTY, ALABAMA

X

JAMES LARRY BONNER
and DOULGAS PIERCE,

X

AT LAW

Defendants.

X

10,460

X

COUNT ONE:

The Plaintiff claims of the Defendants the sum of Three Thousand One Hundred Dollars (\$3,100.00) as damages for that, heretofore, on, to-wit: the 30th day of August, 1971, at a point on Old Highway 90 approximately 3.1 miles East of Robertsdale in Baldwin County, Alabama.

(a) The Defendant James Larry Bonner, while operating a motor vehicle in an Easterly direction on said road at said time and place so negligently operated said motor vehicle as to cause

or allow it to enter into the West bound lane of said Highway and run into, upon or against the motor vehicle in which the Plaintiff was a passenger and as a proximate consequence of the negligence of the said Defendant, James Larry Bonner, the Plaintiff was then and there damaged as hereinafter set forth.

(b) The Defendant, Douglas Pierce, while operating a motor vehicle on said road at said time and place in a Westerly direction and proceeding in front of the vehicle in which the Plaintiff was a passenger did so negligently operate said motor vehicle as to cause or allow the motor vehicle operated by the Defendant Bonner to enter into the West bound lane of traffic on said Highway and to run into, upon or against the vehicle in which the Plaintiff was a passenger and as a direct and proximate result of said negligence of the Defendant Pierce, the Plaintiff was injured and damaged as hereinafter set forth.

(c) And the Plaintiff alleges that said injuries and damages to her were the proximate result of the combined and concurring negligence of the Defendants in and about the operation of their respective motor vehicles at said time and place, and the Plaintiff was therefore caused to and did sustain injuries and damages as follows:

(d) She was cut, bruised, lacerated, scarred and injured; her left ear was lacerated, she received a fracture of her left foot and was caused to incur large hospital and medical bills and expenses in and about the treatment of her injuries and she was permanently disabled.

CHASON, STONE & CHASON

By: John S. Chason
Attorneys for Plaintiff

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

JUN 23 1972

CHASON, STONE & CHASON

By: John S. Chason
Attorneys for Plaintiff

EXHIBIT

72 PAGE 536

EUNICE B. BLACKMON CIRCUIT
CLERK

1-32-74
 J. J. Bonner not found in Bald
 Co, Attending W. of Ala.
 Tuscaloosa Co.
 Jm Byrd

Received 73 day of June 19 72 Sheriff claims 50 miles at
 and on 14 day of June 19 72 Sheriff claims 50 miles at
 I served a copy of the within 73-8-74 Sheriff claims 50 miles at
 on Jm. Gary Bonner 73-8-74 Sheriff claims 50 miles at
Douglas Pierce 7-12-72 Sheriff claims 50 miles at
 By service on Taylor Wilkins, Sheriff
By 14 7 14 all
Jm. Gary Bonner
Served 20 8-74
14 7 14 all
50 miles

RECEIVED
 DEC 13 1973
 TAYLOR WILKINS
 SHERIFF

Sheriff claims 50 miles at
 Ten Cents per mile Total \$ 5.00
 TAYLOR WILKINS, Sheriff
 DEPUTY SHERIFF

10,460

LOLA D. RYAN,
 Plaintiff,

VS.

JAMES LARRY BONNER and DOUGLAS
 PIERCE,

Defendants.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

JUN 23 1972

EUNICE B. BLACKMON CIRCUIT
 JUN 23 1972

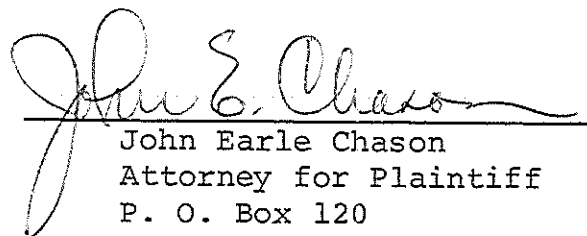
CHASON, STONE & CHASON
 ATTORNEYS AT LAW
 P. O. Box 120
 BAY MINETTE, ALABAMA

LOLA D. RYAN,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
VS.	X	BALDWIN COUNTY, ALABAMA
	X	
JAMES LARRY BONNER	X	CIVIL ACTION NO: 10,460
and DOUGLAS PIERCE,	X	
Defendants.	X	

MOTION TO STRIKE

Comes now the Plaintiff in the above styled cause and moves to strike answer number "2" heretofore filed by the Defendant James Larry Bonner, and as grounds therefor would show unto your Honor and unto this Honorable Court as follows:

1. That answer number "2" which is, in substance, a plea of contributory negligence is unavailable to the Defendant as a defense against the Plaintiff who was a passenger in the vehicle at the time and place complained of.


 John Earle Chason
 Attorney for Plaintiff
 P. O. Box 120
 Bay Minette, Alabama

OF COUNSEL:

CHASON, STONE & CHASON
 Attorneys At Law
 Bay Minette, Alabama

CERTIFICATE OF SERVICE

I, John Earle Chason, Attorney for the Plaintiff in the above styled cause, hereby certify that I have this 26 day of March, 1974, served a copy of the foregoing Motion upon Tolbert Brantley, Esquire, Attorney for Defendants, by depositing a copy of same in the United States mails, postpaid and properly addressed to him at the firm of Wilters & Brantley, Attorneys, Bay Minette, Alabama.


 John Earle Chason

FILED

MAR 26 1974

EUNICE B. BLACKMON circuit clerk

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

LOLA D. RYAN,
Plaintiff,

VS.

JAMES LARRY BONNER and
DOUGLAS PIERCE,
Defendants.

CIVIL ACTION NO. 10,460

ANSWER

Answer #1

The Defendant, James Larry Bonner, says that he is not guilty of the matters alleged in this Bill of Complaint.

Answer #2

The Defendant, James Larry Bonner, says that Annie Ruth Brill was driving a vehicle along or upon U. S. Highway #90 on the date and at the place set out in this Bill of Complaint; that she so negligently operated her motor vehicle as to cause or allow it to run into the vehicle being operated by said Defendant and that the damages claimed are the direct and proximate consequence of her said negligence.

Answer #3

The Defendant, James Larry Bonner, avers that, at the time and place set forth in the Bill of Complaint, the Defendant, Douglas Pierce, suddenly and negligently turned the vehicle he was driving across the lane of traffic in which the Defendant Bonner was traveling and as a direct and proximate consequence of said negligence, the damages complained of were caused.

WILTERS & BRANTLEY

BY:

JMB Brantley
Attorneys for Defendant, James
Larry Bonner
P. O. Box 968
Bay Minette, Alabama 36507

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 4 day of March 1974 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

JMB Brantley

FILED

MAR 4 1974

EUNICE B. BLACKMON CIRCUIT CLERK

2. We the jury find in favor of the Plaintiff MRS. LOLA D. RYAN
and against the Defendant MR. DOUGLAS PIERCE, and
her damages at \$ 3100.⁰⁰, and assess the amount of ~~her~~

Lowell C. Horton
Foreman