

THE STATE OF ALABAMA, BALDWIN COUNTY,

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

You are hereby commanded to summon Marie Lee and X, Y, and Z, the operator and the owner of the motor vehicle which collided with the automobile in which plaintiff's wife, Reanie C. Allen, was riding, which accident is the subject of this suit, whose true names are otherwise not known to the plaintiff, but whose true names, when ascertained, will be added by amendment, to appear within thirty days from the service of this writ, in the Circuit Court of said County, at the place of holding the same then and there to plead, answer, or demur, to the Complaint of JAMES D. ALLEN.

Witness my hand this 2 day of July, 1972.

Ernie S. Blackmon, Clerk

C O M P L A I N T

JAMES D. ALLEN,	:	IN THE CIRCUIT COURT
Plaintiff,	:	OF BALDWIN COUNTY,
vs.	:	ALABAMA
MARIE LEE, and X,Y,Z, the	:	AT LAW
operator and the owner of	:	
the motor vehicle which	:	
collided with the automobile	:	
in which plaintiff's wife,	:	
Reanie C. Allen, was riding,	:	
which accident is the subject	:	
of this suit, whose true names	:	
are otherwise not known to the	:	
plaintiff, but whose true	:	
names, when ascertained, will	:	
be added by amendment,	:	
individually and jointly,	:	
Defendants.	:	CASE NO. <u>10,481</u>

Plaintiff claims of the defendants, jointly and individually, the sum of TEN THOUSAND AND NO/100 (\$10,000.00) DOLLARS as damages,

for that heretofore and on, to-wit, the 18th day of July, 1971, the defendant Marie Lee so negligently operated a motor vehicle she was driving on County Highway 85 in Baldwin County, Alabama, at or near its intersection with Alabama Highway 16, both of which highways are public highways in Baldwin County, Alabama, so as to negligently cause or allow said motor vehicle being driven by defendant Marie Lee to collide with a motor vehicle in which the plaintiff's wife, Reanie C. Allen, was riding, which was then and there on said Alabama Highway 16 at or near its intersection with said County Highway 85 in Baldwin County, Alabama, and as a proximate and direct result of the said negligence of defendant, Marie Lee, as aforesaid, the plaintiff's wife, Reanie C. Allen, was made sick, sore and lame, suffered a fracture of her left shoulder, and sustained permanent injuries; plaintiff's said wife was caused to be hospitalized, and plaintiff was caused to incur hospital, doctor and medical bills in and about the care and treatment of his wife's injuries and plaintiff will be caused to incur further expenses in the future; prior to the injuries so sustained by plaintiff's wife, plaintiff's wife was able and fully capable of performing and actually did perform all the duties of a housewife and was a pleasing and loving wife, and as a consequence thereof, plaintiff received much comfort and happiness in her society and companionship, which said companionship and society have been greatly impaired and will be impaired in the future by reason of said injuries to the plaintiff's wife, and plaintiff will be put to great loss and expense by the loss of services by reason of her injuries and physical disabilities. All of said injuries sustained by the plaintiff's wife and all of the plaintiff's said injuries and damages were the proximate consequence of the aforesaid negligence of the aforesaid defendant Marie Lee, for all of which the plaintiff claims damages of the defendants as aforesaid.


BERT S. NETTLES, Attorney for
Plaintiff

OF COUNSEL:
NETTLES AND COX
2409 First National Bank Building
P. O. Box 2232
Mobile, Alabama

Plaintiff respectfully demands a trial by jury.

Bert S. Nettles

BERT S. NETTLES

Defendant Marie Lee may be served at her home in Foley, Alabama, where she resides with her husband, James R. Lee; or at her place of employment, the Foley Hospital, known as South Baldwin Hospital.

FILED

JUL 7 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

Served on 7 day of July 1972
and on 8 day of July 1972
I served copy of the within Deed
on Maurice Lee

By service of _____

TAYLOR WILKINS, SHERIFF
By Carole L. Lawrence

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Carole L. Lawrence
DEPUTY SHERIFF

10,481

James W. Allen

vs.

Maurice Lee

FILED

JUL 7 1972

EUNICE B. BLACKMON CIRCUIT CLERK

RECEIVED

JUL 7 1972

TAYLOR WILKINS
SHERIFF

Nettles + Co.

JAMES D. ALLEN,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
MARIE LEE, et al.,	X	AT LAW NO: 10,481
Defendants.	X	

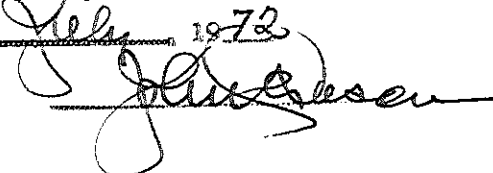
DEMURRER

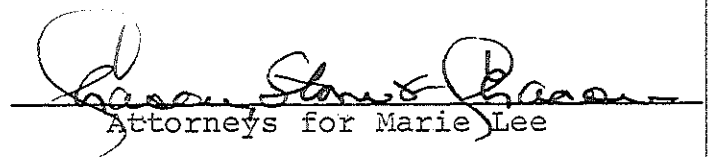
Comes Marie Lee, a Defendant in the above styled cause, and demurs to the Complaint filed in said cause and assigns the following separate and several grounds:

1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
3. That said Complaint does not sufficiently set out where the accident occurred.
4. That said Complaint does not state that Marie Lee negligently allowed the motor vehicle she was driving to collide with the automobile in which the Plaintiff's wife was riding.
5. The allegations as to damages sustained by the Plaintiff in regard to loss of services and companionship of his wife are but conclusions of the pleader and fail to allege how or in what manner such companionship and society have been greatly impaired.

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 18th day

of July, 1972



 Attorneys for Marie Lee

FILED

JUL 18 1972

EUNICE B. BLACKMON CIRCUIT CLERK

JAMES D. ALLEN,

Plaintiff,

vs.

MARIE LEE, et al.,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 10,481

* * * * *

DEMURRER

* * * * *