

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JACKSON DOWNER 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 A. B. CASE.

WITNESS my hand this 29<sup>th</sup> day of Sept., 1972.

Eunice B. Blackmon  
Clerk

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A. B. CASE,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
JACKSON DOWNER,	)	CASE NO. <u>10626</u>
Defendant.	)	

COUNT I.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED SEVENTY EIGHT DOLLARS AND FIFTEEN CENTS (\$178.15) as damages for that, heretofore, on to-wit: the 20th day of August, 1972, the Plaintiff's automobile was stopped along or upon the median strip on the Battleship Parkway which is U. S. Highway #31 and #90, a public road in Baldwin County, Alabama, at a place where he had a right to be, and opposite Meyor Park; at said time and place, the Defendant so negligently operated the vehicle he was driving as to cause or allow the same to run into or against the automobile belonging to the Defendant. As a direct and proximate consequence and result thereof, the Plaintiff's automobile was damaged as follows: The left rear end of his automobile was crushed, crumpled and damaged, all to the loss of the Plaintiff in the aforesaid amount.

WILTERS & BRANTLEY

BY: SMB Brantley  
Attorneys for Plaintiff

Respondent can be served at: **FILED**

Rt. 4, Box 344  
Atmore, Alabama

SEP 29 1972

EUNICE B. BLACKMON  
CIRCUIT CLERK

and on 29 day of Sept 1972  
 I served a copy of the within JAC  
 on Jackson Downer  
 By service on \_\_\_\_\_  
 By service of \_\_\_\_\_  
 TAYLOR WILKINS, Sheriff

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

Returned 19 day of Aug 1973 Subject in Pratt - Fla  
 Not found in my county after diligent search and inquiry

Taylor Wilkins, Sheriff  
 LALAK

EUNICE B. BLACKMON, Circuit Clerk  
 WILTERS & BRANTLEY  
 Attorney for Plaintiff

FILED  
 SEP 29 1972

RECEIVED  
 SEP 24 1972  
 TAYLOR WILKINS, Sheriff

A. B. CASE, PLAINTIFF,  
 VS:  
 JACKSON DOWNER, DEFENDANT

Served on JACKSON DOWNER  
 ON 8-1-72  
 LALAK  
 Escambia County, Ala.

Sheriff's Claims  
 miles in executing this  
 101 per

347-4408

A. B. CASE,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
JACKSON DOWNER,	X	CIVIL ACTION NO: 10,626
Defendant.	X	

ANSWER

Comes now the Defendant in the above styled cause, by and through his attorneys of record, and for answer to the Complaint heretofore filed against him in said cause, says as follows:


1. The Defendant admits that on the 20th day of August, 1972, the Plaintiff's automobile was stopped along the median strip of Battleship Parkway, a public road in Baldwin County, Alabama, and that at said time and place a collision occurred between the Plaintiff's vehicle and the Defendant's vehicle. The Defendant denies that the Plaintiff's vehicle had a right to be at the point of collision at said time and place and the Defendant further denies that the Defendant so negligently operated the vehicle he was driving as to cause or allow the same to run into, upon or against the automobile belonging to the Defendant. The Defendant is without knowledge of the damages suffered by the Plaintiff as a result of the collision and he therefore denies the claim of such damages and demands strict proof thereof.

2. As a specific defense, the Defendant says that at the time and place complained of, the Plaintiff was himself guilty of contributory negligence as a result of which he should not recover of the Defendant in this case.

OF COUNSEL:

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

EX-101

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

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Filed: 12-10-73  
J. J. M.