



## AlaFile E-Notice

01-CV-2008-902216.00

To: M STAN HERRING JR  
msh@mstanherringlaw.com

---

# NOTICE OF ELECTRONIC FILING

---

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

**CHARLES SMITH v. ALABAMA TEMPS**  
**01-CV-2008-902216.00**

The following complaint was FILED on 7/11/2008 2:06:31 PM

Notice Date: 7/11/2008 2:06:31 PM

**ANNE-MARIE ADAMS**  
**CIRCUIT COURT CLERK**  
JEFFERSON COUNTY, ALABAMA  
JEFFERSON COUNTY, ALABAMA  
BIRMINGHAM, AL 35203

205-325-5355  
anne-marie.adams@alacourt.gov

**COVER SHEET  
CIRCUIT COURT - CIVIL CASE**

(Not For Domestic Relations Cases)

Case Number:  
**01-CV-200**

Date of Filing:  
07/11/2008



ELECTRONICALLY FILED  
7/11/2008 2:06 PM  
CV-2008-902216.00  
CIRCUIT COURT OF  
JEFFERSON COUNTY, ALABAMA  
ANNE-MARIE ADAMS, CLERK

**GENERAL INFORMATION**

**IN THE CIRCUIT OF JEFFERSON COUNTY, ALABAMA  
CHARLES SMITH v. ALABAMA TEMPS**

**First Plaintiff:**  Business  Individual  
 Government  Other

**First Defendant:**  Business  Individual  
 Government  Other

**NATURE OF SUIT:**

**TORTS: PERSONAL INJURY**

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonnes
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: \_\_\_\_\_

**OTHER CIVIL FILINGS (cont'd)**

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture  
Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP-Contempt of Court
- CONT-Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND- Equity Non-Damages Actions/Declaratory  
Judgment/Injunction Election Contest/Quiet Title/Sale For  
Division
- CVUD-Eviction Appeal/Unlawful Detainer
- FORJ-Foreign Judgment
- FORF-Fruits of Crime Forfeiture
- MSHC-Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB-Protection From Abuse
- FELA-Railroad/Seaman (FELA)
- RPRO-Real Property
- WTEG-Will/Trust/Estate/Guardianship/Conservatorship
- COMP-Workers' Compensation
- CVXX-Miscellaneous Circuit Civil Case

**TORTS: PERSONAL INJURY**

- TOPE - Personal Property
- TORE - Real Property

**OTHER CIVIL FILINGS**

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Services

**ORIGIN:** F  **INITIAL FILING**

A  **APPEAL FROM  
DISTRICT COURT**

O  **OTHER**

R  **REMANDED**

T  **TRANSFERRED FROM  
OTHER CIRCUIT COURT**

**HAS JURY TRIAL BEEN DEMANDED?**  Yes  No

**RELIEF REQUESTED:**  **MONETARY AWARD REQUESTED**  **NO MONETARY AWARD REQUESTED**

**ATTORNEY CODE:** HER037

7/11/2008 2:05:39 PM

/s M HERRING

**MEDIATION REQUESTED:**  Yes  No  **Undecided**



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

CHARLES SMITH, )

Plaintiff, )

vs. )

CV \_\_\_\_\_

ALABAMA TEMPS, Defendant A, B, and )

C, whether singular or plural, )

being those persons, firms or )

corporations doing business as )

ALABAMA TEMPS, Plaintiff )

was employed on the date of the )

accident made the basis of this )

Complaint; fictitious defendants )

D, E, and F, whether singular or )

plural being those persons, firms )

or corporations, by whom )

Plaintiff was employed on the )

date of the accident made the )

basis of this Complaint. The )

identities of the fictitious )

defendants, A, B, C, D, E, and F, )

are unknown at this time but will )

be substituted by amendment when )

ascertained. )

Defendants. )

---

COMPLAINT

---

COMES NOW the Plaintiff, Charles Smith, and for his Complaint against Defendants states as follows:

1. Plaintiff, Charles Smith, is over the age of nineteen (19) years and is a resident of Jefferson County, Alabama.
2. Defendant, Alabama Temps, is a corporation incorporated in the State of Alabama and doing business in Jefferson County, Alabama.

3. Fictitious Defendants, A, B, C, D, E, and F are those individuals, entities, corporations, or partnerships who are unknown at this time, but will be added by amendment when ascertained.<sup>1</sup>
4. On or about April 25, 2005, while working for Defendant Alabama Temps at Ameristeel, located at 3500 27<sup>th</sup> Avenue North, Birmingham, Alabama, the Plaintiff suffered an on the job injury when steel pipe or bundle swung into him injuring his left hand and wrist and back.
5. Mr. Smith received treatment and surgery for this injury and over time developed pain in his right wrist which arose at a later date as a result of his on the job injury to his right wrist. Mr. Smith ultimately had to have surgery to heal this as well.
6. Mr. Smith also complained of back pain over time as a result of these on the job and related injuries.
7. The Plaintiff has suffered, as a direct and proximate result of said injuries extensive and permanent injuries to his body. Said injuries which arose out of and during the course of Plaintiff's employment with the Defendant.
8. As a proximate result of aforesaid injuries, the Plaintiff has incurred or will incur medical expenses, has sustained or will sustain temporary total disability and/or permanent partial or total disability within the meaning of the Alabama Worker's Compensation Act.
9. Defendants received actual and timely notice of the Plaintiff's injuries within the time specified by the Alabama Worker's compensation Act.
10. Defendants have failed or refused to pay Plaintiff benefits which he is entitled to

---

<sup>1</sup> Hereafter, any referral to Defendants will be to all Defendants, named and fictitious.

under the Alabama Worker's Compensation Act.

WHEREFORE PREMISES CONSIDERED, Plaintiff demands from Defendants such medical and disability benefits as Plaintiff is entitled to receive under the Alabama Worker's Compensation Act.

/s/ M. Stan Herring  
M. Stan Herring (her037)  
M. STAN HERRING PC  
201 Avon Place  
700 29<sup>th</sup> Street South  
Birmingham, AL 35233  
(205) 714-4443  
(205) 714-7177  
[msh@mstanherringlaw.com](mailto:msh@mstanherringlaw.com)

PLEASE SERVE DEFENDANT BY CERTIFIED MAIL :

Alabama Temps  
213 Gadsden Hwy, Ste. 100  
Birmingham, AL 35235