

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

January, 2025

Statewide Jury Verdict Coverage - Published Monthly

25 A.J.V.R. 1

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Civil Jury Verdicts

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Wrongful Death - A teenager was killed when the jeep in which he was “off-roading” illegally on the site of a utility company’s easement flipped backward and crushed him; the teenager’s estate blamed his death on a company that had done grading, clearing, and erosion control work on the site five years earlier

Estate of Patrick v. Con-Site Services, Inc., 22-902018

Plaintiff: Michael D. Petway, *Petway French & Ford, LLP.*, Birmingham; and M. Clay Ragsdale IV, *Ragsdale, LLC.*, Birmingham

Defense: J. Patrick Strubel and Karmen E. Gaines, *Watkins & Eager, PLLC.*, Birmingham

Verdict: Defense verdict

Circuit: **Jefferson**, 12-5-24

Judge: Carole C. Smitherman

Richard Green had for some years

owned land near Overton Road in Birmingham. The Alabama Power Company, Inc. (i.e., “APCO”) held an easement within the property on which it operated a high voltage electrical power transmission facility.

In 2015, APCO contracted with a company called Con-Site Services, Inc. to perform grading, clearing, and erosion control work on the easement. The work included creating a clearing at the top of a hill along with a path leading up to the clearing.

Con-Site’s work on the project was completed in September of 2015, and Con-Site’s personnel had no further presence in or involvement with the site. Over time, however, the site became an attraction for local teenagers who often entered the property and gathered there illegally.

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Alabama Jury Verdict Reporter

Case Style _____

Jurisdiction _____ Case Number _____

Trial Judge _____ Date Verdict _____

Verdict _____

For plaintiff _____ (Name, City, Firm)

For defense _____ (Name, City, Firm)

Fact Summary _____

Injury/Damages _____

Submitted by: _____

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Civil Rights - The plaintiff alleged he was arrested without probable cause for trespassing by an off-duty police officer outside a Birmingham bar – it was the plaintiff’s theory that although he was denied entry to the bar (he appeared intoxicated), he was still outside the bar and thus having not entered the bar, there could be no trespass

Williams v. Birmingham Police,
 Plaintiff: Terrell E. McCants, *Civil*

Rights Law Firm, Birmingham,
 Kimberly K. Augustus-Tucker,
 Birmingham and Ramon Martin,
 Birmingham

Defense: James D. Love and Pamela
 T. Jones, *Office of City Attorney,*
 Birmingham

Verdict: Defense verdict on liability
 Circuit: **Birmingham**, 12-18-24

Judge: Annemarie C. Axon

There was evidence that on the evening of 11-22-20, Jeremy Williams had drinks at Moe’s Restaurant near downtown Birmingham. Later that

evening he and a friend were going to the nearby Innisfree Irish Pub. Williams’s friend was admitted to the pub.

The security guard at Innisfree (Frank) would not permit Williams to enter. Frank believed that Williams was intoxicated. Williams remained outside the bar but did not immediately leave. Williams then had an interaction with Jared Norsworthy, an off-duty Birmingham police officer (in uniform) who was working a