

# The Alabama Jury Verdict Reporter

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January, 2026

Statewide Jury Verdict Coverage - Published Monthly

26 A.J.V.R. 1

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**Wantonness (Animal Attack) - A sheriff's deputy conducting a training for drug detection dogs and their handlers was seriously injured when she was attacked by one of the dogs and left permanently scarred; the deputy blamed the incident on the dog's handler (a police officer with the City of Hueytown) for losing control of the dog despite knowing of its vicious tendencies**

*Brasher v. McIntosh, 23-901731*

Plaintiff: Craig A. Shirley and Michael E. Eldridge, *Hollis Wright & Clay, P.C.*, Birmingham

Defense: M. Jansen Voss and Margaret C. Key, *Christian & Small, LLP.*, Birmingham

Verdict: \$10,000,000 for plaintiff (Comprised of \$6,000,000 compensatory damages and

\$6,000,000 punitives)

Circuit: **Jefferson**, 11-25-25

Judge: Marshall Jackson Hatcher

Beginning in 1999, Sweet Smitherman was the owner and operator of a company called the Central Alabama Police K-9 Training Association, Inc. The company was in the business of providing K-9 dogs to law enforcement agencies.

Sometime in 2020, Smitherman sold a German Shepherd dog named "Rocco" to the City of Hueytown to serve as a drug detection dog.

Rocco's job would be to use his keen sense of smell to find hidden narcotics. Success in this job would require Rocco to receive regular training on a monthly basis.

In the fall of 2020 Officer David McIntosh of the Hueytown Police Department was assigned to become

**Auto Negligence - Plaintiff was awarded approximately 1,961 times his paid medical expenses for soft-tissue neck and back injuries he sustained in a rear-end crash**

*Bailey v. Patrick, 24-900247*

Plaintiff: Alan B. Lassetter, *Morgan & Morgan*, Birmingham

Defense: Megan K. McCarthy, *Ball Ball Matthews & Novak, P.A.*, Montgomery

Verdict: \$1,321,674 for plaintiff

Circuit: **Mobile**, 12-10-25

Judge: S. Wesley Pipes

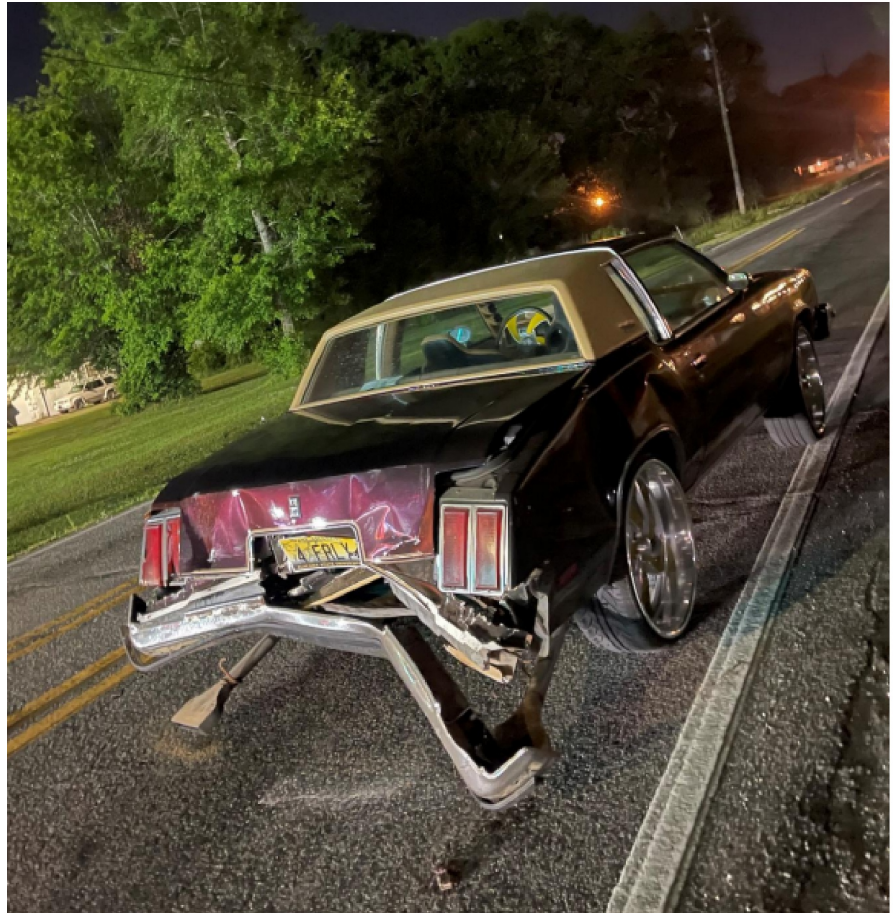
Shortly after midnight on 4-15-23, Terrence Bailey was driving a 1979 Oldsmobile Cutlass as he traveled east on Pleasant Valley Road in Mobile County. Behind him and traveling in the same direction was a 2014 Volkswagen Passat being driven by Kimberly Patrick.

Bailey came to a stop for a red light at the intersection with McRae Avenue. For reasons not explained in the record Patrick lost consciousness at just that moment. An instant later, she rear-ended Bailey. Both Bailey and Patrick declined treatment at the scene. It was a hard hit though and Bailey's classic car (it had fancy rims to boot and he'd restored it himself) suffered significant rear-end damage.

Three days after the crash Bailey presented to the ER with complaints of pain in his neck and back. He followed up a week later with Dr. Kevin Donahoe, Orthopedic Surgery, Mobile. Ultimately, Bailey was diagnosed with an aggravation of pre-existing disc herniations at L2-3, L4-5, and L5-S1 for which he had treated previously in 2012 and 2013.

Bailey followed a course of conservative treatment and was released to return to work after three months. He then did not treat from October of 2023 until July of 2025. His incurred medical expenses came to \$6,895. Of that amount his insurer,

Blue Cross Blue Shield, paid \$674. Bailey filed suit against Patrick and blamed her for crashing into him. Bailey also made an underinsured motorist claim against his own insurer, State Farm. The identified experts for Bailey included the treating Dr. Donahoe and a plaintiff's IME,



*The Bailey vehicle after the collision*

TERRENCE M. BAILEY,	*	
Plaintiff,	*	
v.	*	CV 2024-900247
	*	
KIMBERLY C. PATRICK,	*	
Defendant.	*	

**VERDICT FORM**

We, the Jury, find in favor of the plaintiff, **Terrence M. Bailey**, and against the Defendant, **Kimberly C. Patrick**, and fix damages in the amount of \$1,321,674.15.

*[Signature]* 12-10-2025  
Foreperson Date

**-OR-**

We, the Jury, find in favor of the Defendant, **Kimberly C. Patrick**.

CLERK OF CIRCUIT COURT

Foreperson Date

*The Bailey v. Patrick jury verdict*

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