

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Alabama's Jury Verdict Reporter Since 2001

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Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts in Alabama including circuit, presiding judge, parties, case number, attorneys and results.

Defamation/False Light - A walk-on freshman basketball player at the University of Alabama alleged he was defamed and placed in a false light by a New York Times article that said he was in the vehicle when one of his Alabama teammates was involved in a drive-by shooting – the freshman was not in the car and the author's anonymous source was incorrect – the plaintiff prevailed on both counts at trial against the newspaper and was awarded compensatory damages of \$1.75 million – he also took \$7.25 million in punitive damages which will be subject to a reduction to comply with the state scheme limiting those damages to three times the compensatory damages

Spears v. New York Times, 7:23-692
Plaintiff: R. Matt Glover, *Prince Glover Hayes*, Tuscaloosa, M. Virginia Buck, Northport and Stephen P. New, Beckley, WV

Defense: Chad R. Bowman and Emmy Parsons, *Ballard Spahr*, Washington D.C. and Michael L. Bell, John G. Thompson and Matthew J. Winne, *Lightfoot Franklin & White*, Birmingham

Verdict: \$9,250,000 for plaintiff

Federal: **Tuscaloosa**, 8-20-26

Judge: Annemarie C. Axon

Kai Spears was a freshman walk-on basketball player at the University of Alabama in March of 2023 – like a lot of walk-ons at this level, Spears, who is from Pittsburgh, PA, didn't play in a single game that year. The team was very good that year and was chasing a national championship. A scandal enveloped the team late on the night of January 14, 2023. The day had started well.

Alabama had handily throttled LSU 106-66. The party moved from campus to Tuscaloosa's Strip (an area of bars) near Bryant Denny Stadium.

It was now much later in the evening and bars on the Strip were emptying. Jamea Harris, age 23, was a passenger in a vehicle just off the Strip. A member of the team, Darius Miles, was in the vehicle with a childhood friend, Michael Davis. It was driven by fellow basketball player, Brandon Miller, now with the Charlotte Hornets.

Davis exited the Miller vehicle and approached the Harris vehicle. He had a conflict with her boyfriend. Davis fired his weapon and struck Harris. She was killed. Davis was later convicted of Capital Murder. Miles was charged too with providing Davis the gun. The charges against him remain pending. Miller had simply driven his teammate Miles to the scene (Miles had asked for a ride) and was not involved in the shooting.

In addition to the set of facts regarding the shooting, it is important to note one more. Spears was not present at all. He'd been drinking that night at Moe's Original BBQ bar (Miller in fact got the underage Spears, who was 18, into the bar) and was in a car a few blocks away with friends. He had no involvement with the shooting and wasn't in the car with Miller or anyone else.

Moving forward to March 15, 2023, it was the eve of the NCAA basketball tournament. Alabama was a top seed and drew national interest not just because of the team's basketball exploits but also because

Truck Negligence - A woman suffered a cervical disc injury requiring fusion surgery when her stopped vehicle was rear-ended by a 15,000-pound company truck; plaintiff maintained the truck driver knowingly drove without his required corrective lenses and that his employer had negligently entrusted the truck to him

Clayton v. Jones, et al., 22-900666

Plaintiff: Brent L. Crumpton, *Brent L. Crumpton, P.C.*, Birmingham; Craig L. Lowell and Patrick Pantazis, *Wiggins Childs Pantazis Fisher Goldfarb, LLC*, Birmingham; and Leah Frances Johnson, *The Mezrano Law Firm, P.C.*, Birmingham

Defense: P. Thomas Dazzio, Jr., Jess S. Boone, and Christopher J. Zulanas, *Friedman Dazzio & Zulanas, P.C.*, Birmingham, for H.N. Donahoo Contracting Co.; H. Lanier Brown, II, *Watkins & Eager, PLLC*, Birmingham, for Jones

Verdict: \$220,000 for plaintiffs (allocated \$210,000 to Shyler Clayton and \$10,000 to Cruz Clayton)

Circuit: **Shelby**, 5-15-26

Judge: William H. Bostick, III

In the early afternoon of 11-7-20, 35 year-old Shyler Clayton was driving a 2015 Chrysler 200 as she traveled north on AL 17 in Shelby County. Her minor son, Cruz, was a

passenger. Clayton slowed and stopped with her turn signal activated while waiting to turn left onto Spruce Drive.

Behind Clayton was Lewis Jones, an employee of H.N. Donahoo Contracting Co., Inc. Jones had finished work at a job site and was returning to Donahoo's office in a company-owned 2006 Ford F-550 truck with a coworker. Jones was unable to stop before rear-ending Clayton's vehicle. He was not wearing the corrective lenses required by his driver's license because his glasses were broken.

Clayton claimed injuries to her head, neck, back, shoulder and arm. Among other things, she was diagnosed with a C6-7 disc herniation and ultimately underwent an anterior cervical discectomy and fusion on 11-10-21.

Clayton also claimed to have suffered a concussion or mild traumatic brain injury that caused continuing problems with concentration, memory, sleep and headaches. Her son claimed bruises and contusions as well as mental anguish and stress from the collision.

Clayton filed suit individually and on Cruz's behalf against Jones and Donahoo. In addition to ordinary negligence, the plaintiffs accused

Jones of wanton conduct and presented claims against Donahoo for negligent or wanton entrustment and negligent or wanton hiring, retention, training, and supervision.

The plaintiffs' theories went considerably beyond Jones's failure to stop. They emphasized that Jones knew he had poor vision and nevertheless drove the approximately 15,000-pound commercial truck without the corrective lenses required by his driver's license.

Donahoo's own internal policy also required drivers of its F-550 trucks to possess DOT health cards, yet Jones had driven the trucks on public roads for approximately two years without one. When he attempted to obtain the certification after the accident, he could not pass the examination until his corrective lenses had been repaired.

Plaintiffs also focused on Jones's prior employment history. In 2018 Jones damaged company equipment and was told to undergo a drug test. He advised Donahoo that he would not pass the test and was terminated.

Donahoo rehired Jones approximately five months later and eventually permitted him to operate F-550 trucks on public roads. According to the plaintiffs, Donahoo

also violated its own policy by failing to have Jones drug tested following the Clayton collision.

The identified experts for plaintiffs included Aaron Wolfson, Rehabilitation/Life Care Planning, Metairie, LA. Wolfson was expected to quantify the lifetime cost of the future medical and supportive care associated with Clayton's injuries.

Donahoo and Jones



An image of the scene of the collision

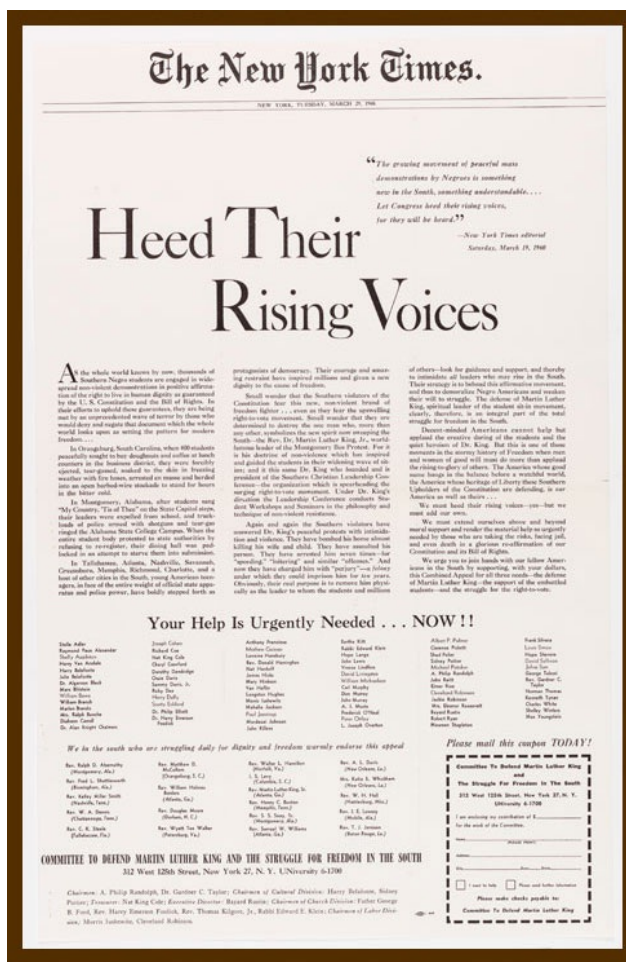
Historic Alabama Verdict

Defamation - A police commissioner in Montgomery alleged he was defamed by a full-page advertisement run in the New York Times that alleged brutality by the Montgomery police against civil rights protesters including Martin Luther King, Jr. – while the commissioner was not named in the advertisement, he prevailed at trial and took \$500,000 in damages against the newspaper – the U.S. Supreme Court reversed the result in 1964 in what remains the leading case in American defamation jurisprudence more than 60 years later

Sullivan v. New York Times, 27416
Plaintiff: Robert E. Steiner, III and
Ronald Nachman, Jr., Montgomery
Defense: T. Eric Embry, Jr., *Beddow*
Embry & Beddow, Birmingham
Verdict: \$500,000 for plaintiff
Circuit: **Montgomery**
Date: November 3, 1960

L.B. Sullivan was the elected police commissioner in Montgomery, AL in 1960. The New York Times ran a full-page advertisement on 3-29-60 that was placed by the *Committee to Defend Martin Luther King and the Struggle for Freedom in the South*. The advertisement trumpeted, “Heed Their Rising Voices.” It described abuses by the Montgomery Police against civil rights protesters including police ringing the campus at Alabama State to starve those protesters as well as allegations that Martin Luther King, Jr. had been arrested seven times. In fact police didn’t ring the campus – they were deployed nearby. King wasn’t arrested seven times either. It was four. Importantly the advertisement didn’t name any person including Sullivan.

Sullivan was aggrieved by the



The original March 1960 advertisement



The all white jury in Montgomery listens to testimony in November of 1960

advertisement and believed its message had defamed him. He sued the New York Times and several civil rights protesters. The defamation case was heard for three days in Montgomery in November of 1960. Judge Walter B. Jones presided and the courtroom was crowded with attorneys from all over Alabama as well as New York.

A total of 37 jurors were called to hear the case. Two were Black. Sullivan immediately struck those two jurors. The jury then was all white men. The jury deliberated two hours and found for Sullivan. It awarded \$500,000 in compensatory damages as requested. The newspaper's attorney (Embry) had hotly contested damages

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