

State of Alabama
Unified Judicial System
Form C-21 Rev. 7/2017

PROCESS OF GARNISHMENT



ELECTRONICALLY FILED

8/29/2022 2:56 PM

63-SM-2019-901537.00

DISTRICT COURT OF

TUSCALOOSA COUNTY, ALABAMA
MAGARIA HAMNER BOBO, CLERK

IN THE Small Claims Court of Tuscaloosa County, AL

NAME AND ADDRESS OF PLAINTIFF

(Person Asserting Claim)

CAPITAL ONE BANK (USA), N.A.
1000 Washington Blvd. Birmingham Alabama 35201

NAME AND ADDRESS OF DEFENDANT

(Person Whose Property is Subject to Garnishment)

Kevin W Hobson
14607 HIGHWAY 82 E
DUNCANVILLE AL 354561208 SSN: XXX-XX-7599
Note to Garnishee - FOR FULL SSN CALL 866-498-5400

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:

NATHAN & NATHAN, P.C.
P.O. Box 1715 Birmingham Alabama 35201
N&N File No: 19-14457

DATE OF JUDGMENT: August 26, 2019

JUDGMENT AMOUNT: \$5,440.15

INTEREST: \$0.00

COSTS: \$354.27

LESS CREDIT: \$0.00

OTHER:

TOTAL: \$5,794.42

NAME AND ADDRESS OF GARNISHEE:

O'Reilly Auto Parts
233 South Patterson Ave
Springfield MO 65802

AFFIDAVIT

A. I make oath that I have obtained the above judgment and believe the named garnishee is or will be indebted to the named defendant or has or will have effects of the defendant under the garnishee's control. I believe that a Process of Garnishment against the garnishee is necessary to obtain satisfaction of the judgment.

B. If the garnishment is for wages, salary or other compensation, I further make oath that the amount to be withheld must be:

25% of disposable earnings for the week OR the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage in effect at the time the earnings are payable, WHICHEVER IS LESS.

20% of disposable earnings for the week OR the amount by which disposable earnings for the week exceed 50 times the federal minimum hourly wage in effect at the time the earnings are payable, WHICHEVER IS LESS, which amount is in compliance with the instructions on the reverse side of this form.

C. I hereby request disbursement of amounts periodically paid into court pursuant to this garnishment.

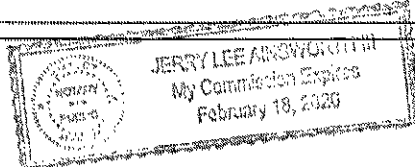
Sworn to and subscribed before me this

day of

Notary Public: (Signature)

My Commission Date Expires

Affiant/Attorney (Signature)



PROCESS OF GARNISHMENT



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8/29/2022 4:50 PM
63-SM-2019-901537.00
DISTRICT COURT OF
TUSCALOOSA COUNTY, ALABAMA
MAGARIA HAMNER BOBO, CLERK

WRIT OF GARNISHMENT

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, O'REILLY AUTO PARTS (G001), and a copy on the defendant, HOBSON KEVIN W (D001), and make proper return to this

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE REGARDING YOUR RIGHTS.

NOTICE TO GARNISHEE: YOU ARE THE GARNISHEE IN THE ABOVE ACTION.

You must complete and file the enclosed Answer form within thirty (30) days from service of process. If you fail to file an Answer, the plaintiff can proceed for judgment against you for the amount of the claim, plus costs. Mailing the notarized Answer form to the Clerk of the Court at the address below constitutes making a proper appearance in the Court. **YOU MUST ANSWER:**

- (1) Whether you are or will be indebted to the defendant at the time you received this process, or when you make your answer, or during the intervening time, or
- (2) Whether you will be indebted to the defendant in the future by existing contract, or
- (3) Whether by existing contract you are liable to the defendant for the delivery of personal property, or for the payment of money, or
- (4) Whether you have in your possession or control, money or effects belonging to the defendant.

You are commanded to retain the amount indicated above from wages, salary or other compensation due or which will become due to the defendant for such period of time as is necessary to accumulate the sum \$ \$5794.42 (Judgment and costs). You are required, after a period of 30 days from the first retention of any sum from the defendant's wages, salary, or other compensation, to begin paying the moneys withheld into court as they are deducted or withheld and continue to do so on a monthly or more frequent basis until the full amount is withheld. If employment of the defendant is terminated BEFORE the sum is accumulated, you are required by law to report the termination and pay into court within 15 days AFTER termination, all sums withheld in compliance with this garnishment. (See Instructions on Garnishments attached in this packet). If you have in your possession or control property or money belonging to the defendant, which is NOT wages, salary or other compensation, and is not exempt as a matter of law, you are further commanded to hold the property or money, or the amount shown above as "Total," whichever is less, subject to orders of this Court.

Date issued: 8/29/2022 /s/ MAGARIA HAMNER BOBO By: /s/ KAD
Clerk Deputy Clerk
Address: POST OFFICE BOX 2883, TUSCALOOSA, AL 35403

This process was executed by serving a copy on (Garnishee) _____
on (Date) _____ Service on Defendant _____ on (Date) _____
Served By: _____ Title: _____



IN THE DISTRICT COURT OF TUSCALOOSA COUNTY, ALABAMA

CAPITAL ONE BANK (USA), N.A.,)	
Plaintiff,)	
)	
V.)	Case No.: SM-2019-901537.00
)	
HOBSON KEVIN W,)	
Defendant.)	

**ORDER GRANTING PLAINTIFF'S VERIFIED
MOTION FOR SERVICE BY POSTING AND MAILING**

Plaintiff having filed a Motion for Service by Posting and Mailing herein, and the Court having considered said Motion, it is hereby:

ORDERED, ADJUDGED and DECREED:

1. The Clerk of the Court shall post (i) a copy of the notice of the garnishment, including the Defendant's right to claim an exemption as provided in Rule 64A of the Alabama Rules of Civil Procedure, and (ii) this Order to its official website and in a designated and conspicuous location within the Courthouse for four (4) continuous weeks.

2. The Clerk of the Court shall send by regular U.S. Mail a copy of the posted notice of garnishment to the Defendant at the Defendant's last known address.

Additional costs and fees of this motion and service are taxed to the Defendant.

DONE this 24th day of March, 2023.

/s/ JAMES E GENTRY
DISTRICT JUDGE