



ELECTRONICALLY FILED
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63-SM-2008-000731.00
DISTRICT COURT OF
TUSCALOOSA COUNTY, ALABAMA
MAGARIA HAMNER BOBO, CLERK

IN THE DISTRICT COURT OF TUSCALOOSA COUNTY, ALABAMA

PEOPLES BANK AND TRUST CO THE,)
Plaintiff,)

V.)

Case No.: SM-2008-000731.00

HILL ALEXANDER,)
LEVERETTE PHYLLIS P,)
Defendants.)

ORDER

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

DONE this 27th day of December, 2023.

/s/ JOANNE M JANNIK
DISTRICT JUDGE

State of Alabama Unified Judicial System Form C-31 (Print) Rev. 7/2017		ALIAS		Case Number SM 2008 731
PROCESS OF GARNISHMENT		TUSCALOOSA COUNTY, ALABAMA		
COURT OF		TUSCALOOSA COUNTY, ALABAMA		
IN THE SMALL CLAIMS		NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment):		
NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim): TRUSTMARK NATIONAL BANK SUCCESSOR BY MERGER TO BANKTRUST PO Box 1928 Brandon, MS 39043		ALEXANDER HILL, SSN ***-**-9085 345 GRADY HILL RD GROVE HILL AL 36451 BY SHERIFF		
NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF: MARY R. WYATT Post Office Box 230759 Montgomery, AL 36123-0759		DATE OF JUDGMENT: January 6, 2009		
NAME AND ADDRESS OF GARNISHEE: C. THORNTON, INC. C/O CHYLANE THORNTON GREGORY, REG. AGT. 12390 AIRPORT BLVD. MOBILE AL 36608		JUDGMENT AMOUNT: \$ 51369.35 INTEREST: \$ 5830.84 1c. COSTS: \$ 33 8.61 LESS CREDIT: \$ 1187.8 OTHER: _____ TOTAL: \$ 51877.94		

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 60 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 abatement of amounts periodically paid into Court pursuant to this garnishment.

Sworn to and subscribed before me this 25th day of September, 2023

[Signature]
Notary Public, Alabama

JENNIFER TUM
Notary Public, Alabama - State At Large
My Commission Expires May 6, 2024

[Signature]
C. THORNTON, INC.

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:
You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, ALEXANDER HILL and a copy on the defendant, ALEXANDER HILL

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE BACK OF THIS FORM (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 to the Clerk of the Court at the address below constitutes making a proper appearance in the Court. **YOU MUST ANSWER:**

- 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
- Whether you will be indebted to the defendant in the future by existing contract, or
- Whether by existing contract you are liable to the defendant for the delivery of personal property or for the payment of money, or
- 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 to be received by the defendant for such period of time as is necessary to accumulate the sum \$ 51877.94. 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 Reverse Side for Instructions on Garnishments). 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: _____

By: _____
Clerk TUSCALOOSA COUNTY SMALL CLAIMS, POST OFFICE BOX 2883, TUSCALOOSA, AL 36403, (205) 664-3400
Address: _____
Deputy Clerk

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

COURT RECORD (Original) PLAINTIFF (Copy) DEFENDANT (Copy) GARNISHEE (Copy)

MAILED
FILED
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ALABAMA JUDICIAL DATA CENTER
IN THE DISTRICT COURT OF TUSCALOOSA COUNTY
NOTICE TO DEFENDANT OF RIGHT TO CLAIM
EXEMPTION FROM GARNISHMENT

JUDGE: JOANNE M. JANNIK

CASE: SM 2008 000731.00

THE PEOPLES BANK AND TRUST CO. VS ALEXANDER HILL ET AL

PARTY: HILL ALEXANDER
ADDRESS: 345 GRADY HILL RD
GROVE HILL AL 36451-0000

PLAINTIFF: PEOPLES BANK AND TRUST CO THE
ADDRESS: PO BOX 799
MONTGOMERY AL 36702-0000

A PROCESS OF GARNISHMENT HAS BEEN DELIVERED TO YOU. THIS MEANS THAT A COURT MAY ORDER YOUR WAGES, MONEY IN A BANK, SUMS OWED TO YOU, OR OTHER PROPERTY BELONGING TO YOU, TO BE PAID INTO COURT TO SATISFY A JUDGMENT AGAINST YOU.

LAWS OF THE STATE OF ALABAMA AND OF THE UNITED STATES PROVIDE THAT IN SOME CIRCUMSTANCES CERTAIN MONEY AND PROPERTY MAY NOT BE TAKEN TO PAY CERTAIN TYPES OF COURT JUDGMENTS, BECAUSE CERTAIN MONEY OR PROPERTY MAY BE "EXEMPT" FROM GARNISHMENT. FOR EXAMPLE, UNDER STATE LAW, IN SOME CIRCUMSTANCES, UP TO \$7500.00 IN PERSONAL PROPERTY, INCLUDING MONEY, BANK ACCOUNTS, AUTOMOBILES, APPLIANCES, ETC. MAY BE EXEMPT FROM PROCESS EXCEPT WAGES, SALARIES, OR OTHER COMPENSATION OF GARNISHMENT. SIMILARLY, UNDER FEDERAL LAW, CERTAIN BENEFITS AND CERTAIN WELFARE PAYMENTS MAY BE EXEMPT FROM GARNISHMENT. BENEFITS AND PAYMENTS ORDINARILY EXEMPT FROM GARNISHMENT INCLUDE, FOR EXAMPLE, SOCIAL SECURITY PAYMENTS, SSI PAYMENTS, VETERAN'S BENEFITS, AFDC (WELFARE) PAYMENTS, UNEMPLOYMENT COMPENSATION PAYMENTS, AND WORKERS' COMPENSATION PAYMENTS.

THESE EXAMPLES ARE FOR ILLUSTRATION PURPOSES ONLY. WHETHER YOU WILL BE ENTITLED TO CLAIM ANY EXEMPTION FROM THE PROCESS OF GARNISHMENT, AND, IF SO, WHAT PROPERTY MAY BE EXEMPT, WILL BE DETERMINED BY THE FACTS IN YOUR PARTICULAR CASE. IF YOU ARE UNCERTAIN AS TO YOUR POSSIBLE EXEMPTION RIGHTS, YOU SHOULD CONSULT A LAWYER FOR ADVICE.

TO CLAIM ANY EXEMPTION THAT MAY BE AVAILABLE TO YOU, YOU MUST PREPARE A "CLAIM OF EXEMPTION" FORM LISTING ON IT ALL YOUR WAGES AND PERSONAL PROPERTY; HAVE THE CLAIM OF EXEMPTION NOTARIZED; AND FILE IT IN THE CLERK'S OFFICE. ALSO, IT IS YOUR RESPONSIBILITY TO MAIL OR DELIVER A COPY OF THE CLAIM OF EXEMPTION TO THE PLAINTIFF WHO HAS A JUDGMENT AGAINST YOU. YOU MUST INDICATE ON THE CLAIM OF EXEMPTION THAT YOU FILE IN THE CLERK'S OFFICE WHETHER YOU MAILED OR DELIVERED THE COPY TO THE PLAINTIFF AND THE DATE ON WHICH YOU MAILED OR DELIVERED IT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE, YOU SHOULD SEE A LAWYER.

IF YOU FILE A CLAIM OF EXEMPTION, THE PLAINTIFF WILL HAVE APPROXIMATELY TEN (10) DAYS TO FILE A "CONTEST" OF YOUR CLAIM OF EXEMPTION. IF A CONTEST IS FILED, A COURT HEARING WILL BE SCHEDULED AND YOU WILL BE NOTIFIED OF THE TIME AND PLACE OF THE HEARING. IF THE PLAINTIFF DOES NOT FILE A CONTEST, THE PROPERTY CLAIMED BY YOU AS EXEMPT WILL BE RELEASED FROM THE GARNISHMENT.

IF YOU DO NOT FILE A CLAIM OF EXEMPTION, YOUR PROPERTY MAY BE TURNED OVER TO THE COURT AND PAID TO THE PLAINTIFF ON THE JUDGMENT AGAINST YOU.

TO PROTECT YOUR RIGHTS, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER.