

ELECTRONICALLY FILED  
2/20/2024 1:44 PM  
63-CV-2019-901516.00  
CIRCUIT COURT OF  
TUSCALOOSA COUNTY, ALABAMA  
MAGARIA HAMNER BOBO, CLERK

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALA

CREDIT ACCEPTANCE CORPORATION )  
Plaintiff. )  
v. )  
BRITTANY CUNNINGHAM and SHANTAE )  
CUNNINGHAM )  
Defendant(s). )  
v. )  
Garnishee. )

Case No: CV19-901516

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

Done this 20<sup>th</sup> day of February, 2024.

James H. Roberts, Jr.  
Circuit Judge James H. Roberts, Jr.

State of Alabama  
Unified Judicial System  
Form C-21 (Front) Rev. 7/17

**PROCESS OF GARNISHMENT**

ELECTRONICALLY FILED

8/1/2023 10:43 PM

63-CV-2019-901516.00

CIRCUIT COURT OF

TUSCALOOSA COUNTY, ALABAMA  
MAGARIA HAMNER BOBO, CLERK**IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY**

NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):  
**CREDIT ACCEPTANCE CORPORATION**

NAME AND ADDRESS OF ATTORNEY OR REPRESENTATIVE FOR PLAINTIFF:

Zarzaur & Schwartz, PC  
Post Office Box 11366  
Birmingham, AL 35202

NAME AND ADDRESS OF GARNISHEE:

Whataburger Restaurants LLC  
CORPORATION SERVICE COMPANY INC  
641 SOUTH LAWRENCE STREET  
Montgomery, AL 36104

NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment):  
**SHANTAE CUNNINGHAM CERTIFIED MAIL**

XXX-XX-1996 *Defendant's Social Security Number must be redacted according to Alabama Rule 5.1, for full number, please contact Plaintiff's Attorney at 205-250-5320.*

1125 28TH PL  
TUSCALOOSA AL 35401-6603

DATE OF JUDGMENT: 01/20/2022

JUDGMENT AMOUNT: \$24,296.31

INTEREST: \$4,085.99

COSTS: \$611.91

LESS CREDIT: \$0.00

OTHER: \$0.00

TOTAL: \$28,994.21

**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, OR
- 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 amount periodically paid into court pursuant to this garnishment.

Sworn and subscribed before me on the date set out below.

/s/ Brenda G. Worsham, Notary Public, my commission expires July 17, 2025  
Notary Public (signature)  
Seal:

Digitally signed by /s/ Brenda G. Worsham, Notary Public, my commission expires July 17, 2025  
Date: 2023.07.31 13:52:11 -05'00'

David A.

Hearne

(HEA052)

Affiant/ Attorney (signature)

Digitally signed by

David A. Hearne

(HEA052)

Date: 2023.07.31

12:20:19 -05'00'

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

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

# PROCESS OF GARNISHMENT



ELECTRONICALLY FILED  
8/2/2023 7:51 AM  
63-CV-2019-901516.00  
CIRCUIT 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, WHATABURGER RESTAURANTS, LLC (CDB) and a copy on the defendant, CUNNINGHAM SHANTAE (D002), 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 \$ \$28994.21 (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: 8/2/2023 /s/ MAGARIA HAMNER BOBO Clerk By: /s/ KRM Deputy Clerk

Address: 714 GREENSBORO AVENUE, TUSCALOOSA, AL 35401

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