


STATE OF ALABAMA Unified Judicial System		Revised 3/5/08	Case No. DV14-60
District Court			
Style of case: <i>Credit Acceptance Corporation</i> v. <i>Shamonnica Cleckly</i>		CIVIL MOTION COVER SHEET <i>Name of Filing Party: Credit Acceptance Corporation</i>	
Name, Address, and Telephone No. of Attorney or Party (If Not Represented). <i>Zarzaur & Schwartz, P.C.</i> <i>2209 Morris Avenue</i> <i>Birmingham, AL 35203</i> <i>800-401-6789</i> Attorney Bar No.:		No Oral Arguments Requested	
TYPE OF MOTION			
Motions Requiring Fee		Motions Not Requiring Fee	
Default Judgment (\$50.00) Joinder in Other Party's Dispositive Motion (i.e. Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00) Judgment on the Pleadings (\$50.00) Motion to Dismiss, or in the Alternative Summary Judgment(\$50.00) Renewed Dispositive Motion(Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00) Summary Judgment pursuant to Rule 56(\$50.00) Motion to Intervene (\$297.00) Other _____ pursuant to Rule _____ (\$50.00) *Motion fees are enumerated in §12-19-71(a). Fees pursuant to Local Act are not included. Please contact the Clerk of the Court regarding applicable local fees. Local Court Costs \$ _____ Hearing Date:		Add Party Amend Change of Venue/Transfer Compel Consolidation Continue Deposition Designate a Mediator Judgment as a Matter of Law (during Trial) Disburse Funds Extension of Time In Limine Joinder More Definite Statement Motion to Dismiss pursuant to Rule 12(b) New Trial Objection of Exemptions Claimed Pendente Lite Plaintiff's Motion to Dismiss Preliminary Injunction Protective Order Quash Release from Stay of Execution Sanctions Sever Special Practice in Alabama Stay Strike Supplement to Pending Motion Vacate or Modify Withdraw <input checked="" type="checkbox"/> Other Motion to Serve by Posting pursuant to Rule 6-6-394.1 (Subject to Filing Fee)	
Check here if you have filed or are filing contemporaneously with this motion an Affidavit of Substantial Hardship or if you are filing on behalf of an agency or department of the State, county, or municipal government. (Pursuant to §6-5-1 Code of Alabama (1975), governmental entities are exempt from prepayment of filing fees)		Date: 01/22/2024	Signature of Attorney or Party: 

You can make your payment online at www.zspayonline.com.

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

IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

CREDIT ACCEPTANCE CORPORATION)
 Plaintiff,)
 v.)
 Shamonnica Cleckly)
 Defendant(s).)
 v.)
 Dolgencorp, LLC)
 Garnishee.)

Case No: DV14-60

**VERIFIED MOTION FOR SERVICE BY POSTING AND MAILING
PURSUANT TO ALABAMA CODE § 6-6-394.1**

COMES NOW the Plaintiff, by and through its attorney of record, and moves this Honorable Court for an order directing service of the notice of the defendant’s right to claim an exemption from garnishment by posting and mailing pursuant to Alabama Code § 6-6-394.1, and as grounds thereof says as follows:

Before me a Notary Public in and for Jefferson County, Alabama, the undersigned attorney personally appeared, who is known to me and who being first duly sworn, deposes on oath states as follows: I am an Attorney for the Plaintiff in this action. Notice was issued to the defendant contemporaneously with the service of process of garnishment upon the garnishee, but was returned not found or service was otherwise not accomplished.

WHEREFORE, Plaintiff moves for an Order for service by posting and mailing under Ala. Code § 6-6-394.1 to include:

1. Order the Clerk of the Court to post (i) a copy of the notice of the garnishment, including the defendant’s rights to claim an exemption as provide in Rule 64A of the Alabama Rules of Civil Procedure and (ii) this Court’s Order Granting Service by Posting and Mailing to its official website and in a designated and conspicuous location within the courthouse for four (4) continuous weeks.

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- 2. Order the Clerk of the Court to 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. Order the costs of this motion and service be made taxable to the defendant.



OF COUNSEL:
 Zarzaur & Schwartz, P.C.
 P.O. Box 11366
 Birmingham, AL 35202
 205-250-8437
 Our File # 14-15485

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SWORN TO and subscribed before me on the date set out below.



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been or shall be served upon the Defendant or Defendant's counsel either by electronic transmittal via the Court's electronic filing system or by mailing a copy of this motion in the United States First Class Mail, postage prepaid, to:

Shamonnica Cleckly
 1005 3RD AVE S
 CLANTON, AL 35045



 Of Counsel

Dated this 22 day of Jan, 2024.

IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

CREDIT ACCEPTANCE CORPORATION)
 Plaintiff,)
 v.)
 Shamonnica Cleckly)
 Defendant(s).)
 v.)
 Dolgencorp, LLC)
 Garnishee.)

Case No: DV14-60

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 25 day of January, 2024.

Chris Spears
Judge