

IN THE SMALL CLAIMS COURT OF CHILTON COUNTY, ALABAMA

GUARDIAN CREDIT UNION,

Plaintiff,

v.

DONNIE PAUL BAKER,

Defendant,

BOISE CASCADE COMPANY

INCORPORATED,

Garnishee.

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CASE NO. SM 2020-900559

**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 say as follows:

Before me, a Notary Public in and for Montgomery County, Alabama, the undersigned attorney personally appeared, who is known to me and who being first duly sworn, deposes upon oath and states as follows: I am Attorney for 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 Court to post (i) a copy of the notice of garnishment, including the defendant's rights to claim of exemption, as provided 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.
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.



MARY R WYATT (WYA011)
JORDAN L DALTON (DAL014)
Attorneys for Plaintiff

OF COUNSEL:

MARY R WYATT
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5720 Carmichael Road
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Montgomery, Alabama 36123-0759
Telephone: (334) 272-2230

Sworn to and Subscribed before me this 23rd day of May, 2024.

MEGAN GORDON
Notary Public, Alabama State At Large
My Commission Expires July 20, 2026



Notary Public
My commission expires: 07-20-26

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing document upon all counsel of record as listed below by depositing a copy of same in the United States Mail, postage prepaid on this the 23rd day of May, 2024.

/s/Jordan L Dalton
OF COUNSEL

DONNIE PAUL BAKER
1201 COUNTY RD 261
CLANTON AL 35046

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CASE NO. SM 2020-900559

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

Plaintiff having filed a Verified 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 5th day of June, 2024

Chris Spear
JUDGE