

IN THE SMALL CLAIMS COURT OF CHILTON COUNTY, ALABAMA

Midland Funding LLC
Plaintiff,

)

v.

)

SM 16-900414

REGINA EDWARDS ,
Defendant(s).

VERIFIED MOTION FOR SERVICE OF GARNISHMENT

COMES NOW the Plaintiff in the above styled cause, and pursuant to Section 6-6-394.1 of the Alabama Code, moves this Honorable Court to allow the Clerk of Court to perfect service of this garnishment by the posting and mailing of this notice, and as grounds states as follows:

- 1) On or about 12/01/16 a judgment was entered in favor of the Plaintiff and against the Defendant in the amount of \$1,413.99, plus costs of court.
- 2) Plaintiff subsequently filed a garnishment on USPS MANAGER EAGAN.
- 3) The garnishee, USPS MANAGER EAGAN, has been served, and has subsequently filed an answer of withholding. A total of \$1,938.46 is holding with the court.
- 4) Service of process was attempted upon the Defendant contemporaneously with service of process upon the garnishee. However, such service was unable to be perfected upon the Defendant. (See Exhibit A).

WHEREFORE, premises considered, Plaintiff respectfully moves this Honorable Court to allow service of the garnishment by posting and ordinary mail.

Respectfully submitted,

/s/ Richard G. Moxley, III
Richard G. Moxley, III
Attorney for Plaintiff
Moxley & Associates, LLC
Post Office Box 4953
Montgomery, AL 36103
334-834-9689
MOX001

IN THE SMALL CLAIMS COURT OF CHILTON COUNTY, ALABAMA

Midland Funding LLC
Plaintiff,

v.

REGINA EDWARDS ,
Defendant(s).

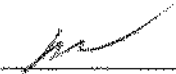
STATE OF ALABAMA
MONTGOMERY COUNTY

)
)
)
)
)
)
)

SM 16-900414

BEFORE ME, the undersigned authority in and for said State and County, personally appeared, Richard G. Moxley, III, who being first duly sworn, on oath deposes and says as follows:

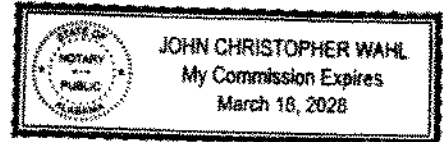
1. My name is Richard G. Moxley, III and I am an attorney with the law firm of Moxley & Associates, LLC., attorney for the Plaintiff in this matter. I have personal knowledge of the facts set forth in this affidavit and the records pertaining to the account and judgment of the Defendant.
2. A final judgment was entered in favor of Midland Funding LLC against the Defendant by this court on or about 12/01/16 in the original judgment amount of \$1,413.99, plus costs of court.
3. On or about 03/08/24 a garnishment was issued on USPS MANAGER EAGAN. Service was perfected upon garnishee on or around 03/15/24. Service upon the Defendant was contemporaneously attempted, however, service was never perfected.
4. Garnishee has filed and Answer of "Withholding" with the court. A total of \$1,938.46 is holding with the Clerk of Court.
5. Further Affiant sayeth not.


Affiant

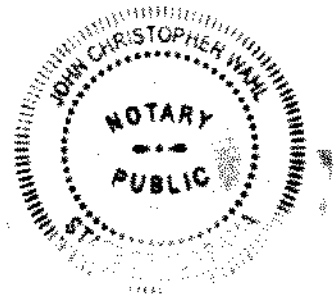
SWORN TO AND SUBSCRIBED BEFORE ME

This 24th day of July, 2024

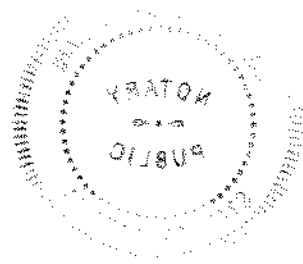

NOTARY PUBLIC



Commission Expires: 3-18-28



NOTARY PUBLIC
STATE OF CALIFORNIA
COMM. NO. 12345
EXPIRES 12/31/2024



IN THE SMALL CLAIMS COURT OF CHILTON COUNTY, ALABAMA

Midland Funding LLC
Plaintiff,

)

v.

)

SM 16-900414

REGINA EDWARDS ,
Defendant(s).

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 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 week.
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 Aug, 2024.

Crisis Spears
DISTRICT JUDGE