

IN THE SMALL CLAIMS COURT OF CHILTON COUNTY, ALABAMA

LVNV FUNDING, LLC

Plaintiff,

vs.

CASE NO. 14-SM-2020-900519

ROBERT D. MELOFSKY

Defendant,

CAHABA MEDICAL CARE COMMUNITY CENTER

Garnishee.

**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 the Plaintiff states the following to-wit:

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 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 Code § 6-6-394.1 to include.



1. Order the Clerk of the Court to post a copy of the notice of the garnishment and this Order to its official website and in a designated and conspicuous location within the courthouse for four (4) continuous weeks. Said notice shall identify the name of the parties, the court in which the action is pending, the case number, and a statement concerning rights of exemption as provided in Rule 64A of the Alabama Rules of Civil Procedure.

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 to be taxed against the Defendant.

RESPECTFULLY SUBMITTED on or about JULY 16, 2024.

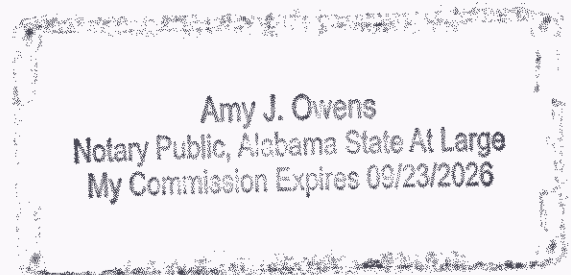
DOUST
KAREN MATERNA (MAT042)
CHLOE DOUST (DOU024)
CRISTINA RUSTAD-MEJIA (RUS069)
Attorneys for Plaintiff
SCOTT & ASSOCIATES, P.C.
2012 BERRY HILL ROAD
MONTGOMERY, AL 36124
Ph: (334) 386-9899

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

July 16, 2024
Date

Amy J. Owens
Notary Public

My Commission expires 9-23-2026



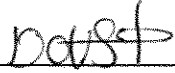
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished to the defendant(s) and garnishee or their counsel of record by placing a copy thereof, properly addressed and postage prepaid, in the United States Mail on the date listed and to the address set forth below.

Robert D. Melofsky
1499 COUNTY ROAD 128
CALERA, AL 35040

Cahaba Medical Care Community Center
195 HOSPITAL DR
CENTREVILLE, AL 35042

Date:



KAREN MATERNA
CHLOE DOUST
CRISTINA RUSTAD-MEJIA

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LVNV FUNDING, LLC

Plaintiff,

vs.

CASE NO. 14-SM-2020-900519

ROBERT D. MELOFSKY

Defendant,

CAHABA MEDICAL CARE COMMUNITY CENTER

Garnishee.

**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. Plaintiff's Motion to allow service of the process of garnishment upon the Defendant by posting and mailing by the Clerk of this Court pursuant to Alabama Code § 6-6-394.1 is hereby **GRANTED**.

2. The Clerk of the Court shall post a copy of the notice of the garnishment and this Order to its office website and in a designated and conspicuous location within the courthouse for four (4) continuous weeks. Said notice shall identify the name of the parties, the court in which the action is pending, the case number, and a statement concerning rights of exemption as provided in Rule 64A of the Alabama Rules of Civil Procedure.

3. At the time of the posting, 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.

4. The Costs of this Service to be taxed to the Defendant.

Done this the 26 date August, 2024.

Chris Bryant

Judge