

**IN THE SMALL CLAIMS COURT OF
CHILTON COUNTY, ALABAMA**

RMC Corp. a/a/o First Bank of Delaware

Plaintiff,

v.

CASE NO. SM-10-900114

GARY D. O'BERRY, Jr.,

Defendant,

SUNBELT RENTALS, INC.

Garnishee.

**MOTION TO ALLOW SERVICE OF GARNISHMENT ON DEFENDANT BY POSTING
AND MAILING PURSUANT TO § 6-6-394.1**

Comes now the Plaintiff in the above styled cause, by and through its attorney of record, and hereby moves this Honorable Court for an order directing service of the process of garnishment upon the Defendant by posting and mailing by the Clerk in accordance with § 6-6-394.1, Code of Alabama, 1975. As grounds, Plaintiff submits that 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. Further, an appearance has not been entered by Defendant or on Defendant's behalf in this matter. The undersigned verifies that this method of service is necessary to perfect service of the process of garnishment upon the Defendant.

WHEREFORE, premises considered, Plaintiff moves for an order directing the Clerk to perfect service of the process of garnishment upon the Defendant by posting and mailing.


ASHLEIGH L. HUGHES (HUG080)
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED before me this 10th day of June, 2026.

Kari Stephens

NOTARY PUBLIC

My Commission Expires



OF COUNSEL:

THE HUGHES LAW FIRM, LLC

100 Executive Park Drive

Post Office Box 780789

Tallahassee, AL 36078

Telephone: (334) 283-2893

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion has been served upon the Defendant(s) by depositing a copy in the United States Mail, postage prepaid, and/or upon counsel of record via the Alafile system this 10th day of June, 2026.

/s/ Ashleigh L. Hughes
Of Counsel

GARY D. O'BERRY, Jr.
151 WILL-A-ROSE LN
CHELSEA AL 35043



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DISTRICT COURT OF
CHILTON COUNTY, ALABAMA
NICK BURNETT, CLERK

IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

RMC CORP. AS ASSIGNEE OF
FIRST BANK OF DELEWARE &
Plaintiff,

v.

O'BERRY GARY D. JR.,
Defendant.

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Case No.: SM-2010-900114.00

ORDER

MOTION FOR OTHER filed by RMC CORP. AS ASSIGNEE OF FIRST
BANK OF DELEWARE & is hereby GRANTED.

DONE this 16th day of June, 2026.

/s/ CHRISTOPHER G SPEAKS
DISTRICT JUDGE