IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

DISCOVER BANK **Plaintiff,**	)	
vs.	)	**CASE NO: DV-2023-900158**
TINA E HORTON **Defendant(s).**	)	

MOTION FOR SERVICE OF GARNISHMENT BY POSTING AND MAILING

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 August 03, 2023, a judgment was entered in favor of the Plaintiff and against the Defendant in the amount of $8,484.41, plus costs of court.

2) Plaintiff subsequently filed a garnishment on UNIVERSITY OF MONTEVALLO.

3) The garnishee, UNIVERSITY OF MONTEVALLO, has been served, and has been withholding funds. A total of $2,120.14 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,

Davis Vinson (VIN021)
Rebecca G. Guilinger (GUI026)
Charles Blackledge (BLA164)
Edmund Harrington (HAR353)
Haley J. Smith (SMI451)
Bennie Crowe (CRO107)
Attorneys for Plaintiff

OF COUNSEL:
Weltman, Weinberg & Reis Co., L.P.A. successor
by acquisition of Nathan & Nathan, P.C.
P.O. Box 1715

File No. 23-16957
AL_1108

Birmingham, AL 35201-1715
(205) 323-5400

IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

DISCOVER BANK **Plaintiff,**	)	
vs.	)	**CASE NO: DV-2023-900158**
TINA E HORTON **Defendant(s).**	)	

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

BEFORE ME, the undersigned authority in and for said State and County, personally appeared, Haley Smith who being first duly sworn, on oath deposes and says as follows:

1. My name is Haley Smith and I am an Attorney with the law firm of Weltman, Weinberg & Reis Co., L.P.A. successor by acquisition of Nathan & Nathan, P.C., attorneys 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 Discover Bank against Defendant by this Court on or about August 03, 2023 in the original judgment amount of $8,484.41, plus costs.
3. On or about 10/20/2023 a garnishment was issued on UNIVERSITY OF MONTEVALLO. Service was perfected upon garnishee on or around 10/26/2023. Service upon the Defendant was contemporaneously attempted, however, service was never perfected.
4. Garnishee has been withholding funds. A total of $2,120.14 is holding with the Clerk of Court.
5. Further Affiant sayeth not.

Haley Smith
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME

this _____ day of _____, 20__.

_____
NOTARY PUBLIC

Commission Expires: _____

File No. 23-16957
AL_1108

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DISTRICT COURT OF
CHILTON COUNTY, ALABAMA
NICK BURNETT, CLERK

IN THE DISTRICT COURT OF CHILTON COUNTY, ALABAMA

DISCOVER BANK,	)	
Plaintiff,	)	
	)	
V.	)	Case No.: DV-2023-900158.00
	)	
HORTON TINA,	)	
Defendant.	)	

ORDER

SERVICE OF GARNISHMENT BY POSTING AND MAILING filed by DISCOVER BANK is hereby GRANTED.

DONE this 16th day of November, 2026.

/s/ CHRISTOPHER G SPEAKS
DISTRICT JUDGE