

PROCESS OF GARNISHMENT

ELECTRONICALLY FILED
7/26/2023 10:10 PM
11-SM-2023-900165.00
DISTRICT COURT OF
CALHOUN COUNTY, ALABAMA
KIM MCCARSON, CLERK

IN THE DISTRICT COURT OF CALHOUN COUNTY,

NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):

Cavalry SPV I, LLC, as assignee of
Synchrony Bank
c/o Aldridge Pite Haan, LLP
P.O. Box 7389
Marietta, GA 30065
Toll Free: 1-800/844-0045

NAME AND ADDRESS OF DEFENDANT:

NAOMY HERNANDEZ
122 LIGHT LN
OXFORD AL 36203-0337
***.**-4651
CALHOUN County

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:

Aldridge Pite Haan, LLP
P.O. Box 7389
Marietta, GA 30065
Toll Free: 1-800/844-0045
Facsimile: 470/201-1231
APH File No.: 22-39072

DATE OF JUDGMENT: March 6, 2023

JUDGMENT AMOUNT: \$1,492.47

INTEREST: \$37.41

COSTS: \$141.33

LESS CREDIT: \$0.00

OTHER: \$0.00

TOTAL: \$1,671.21

NAME AND ADDRESS OF GARNISHEE:

Oxford City Board of Education
ATTN: Payroll/ Human Resources
402 Main St.
Oxford AL 36203
CALHOUN County

AFFIDAVIT

A. I make oath that I have obtained the above judgment and believe the named garnishee is or will be indebted to the named defendant or has or will have effects of the defendant under the garnishee's control. I believe that a Process of Garnishment against the garnishee is necessary to obtain satisfaction of the judgment.

- B. If the garnishment is for wages, salary or other compensation, I further make oath that the amount to be withheld must be:
- 25% of disposable earnings for the week OR the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage in effect at the time the earnings are payable, WHICHEVER IS LESS.
- 20% of disposable earnings for the week OR the amount by which disposable earnings for the week exceed 50 times the federal minimum hourly wage in effect at the time the earnings are payable. WHICHEVER IS LESS, which amount is in compliance with the instructions on the reverse side of this form.

C. I hereby request disbursement of amounts periodically paid into Court pursuant to this garnishment.

Sworn to and subscribed to me this _____
day of July 11, 2023 _____

/s/ Callie Day
Notary Public/Clerk (Signature)
My Commission Expires: August 21, 2025

/s/ James A. Nadler
Affiant/Attorney (Signature) NAD002

WRIT OF GARNISHMENT

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, Oxford City Board of Education, and a copy on the defendant, NAOMY HERNANDEZ, and make proper return to this Court.

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE REGARDING YOUR RIGHTS.

NOTICE TO GARNISHEE: YOU ARE THE GARNISHEE IN THE ABOVE ACTION.

You must complete and file the enclosed Answer form within thirty (30) days from service of process. If you fail to file an Answer, the plaintiff can proceed for judgment against you for the amount of the claim, plus costs. Mailing the notarized Answer form to the Clerk of the Court at the address below constitutes making a proper appearance in the Court. YOU MUST ANSWER:

- (1) Whether you are or will be indebted to the defendant at the time you received this process, or when you make your answer, or during the intervening time or,
- (2) Whether you will be indebted to the defendant in the future by existing contract, or
- (3) Whether by existing contract you are liable to the defendant for the delivery of personal property, or for the payment of money, or
- (4) Whether you have in your possession or control, money or effects belonging to the defendant.

You are commanded to retain the amount indicated above from wages, salary or other compensation due or which will become due to the defendant for such period of time as is necessary to accumulate the sum \$1,671.21 (Judgment and costs). You are required, after a period of 30 days from the first retention of any sum from the defendant's wages, salary, or other compensation, to begin paying the moneys withheld into court as they are deducted or withheld and continue to do so on a monthly or more frequent basis until the full amount is withheld. If employment of the defendant is terminated BEFORE the sum is accumulated, you are required by law to report the termination and pay into court within 15 days AFTER termination, all sums withheld in compliance with this garnishment. (See Reverse Side for Instructions on Garnishments). If you have in your possession or control property or money belonging to the defendant, which is NOT wages, salary, or other compensation, and is not exempt as a matter of law, you are further commanded to hold the property or money, or the amount shown above as "Total," whichever is less, subject to orders of this Court.

Date issued: _____ By: _____
Clerk Deputy Clerk
Address: Calhoun County Courthouse, 1, _____

This process was executed by serving a copy on (Garnishee) _____

on (Date) _____ Service on (Defendant) _____ on (Date) _____

Served by: _____ Title: _____

COURT RECORD (Original) PLAINTIFF (Copy) DEFENDANT (Copy) GARNISHEE (Copy)

PROCESS OF GARNISHMENT



ELECTRONICALLY FILED
7/27/2023 9:06 AM
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DISTRICT COURT OF
CALHOUN COUNTY, ALABAMA
KIM MCCARSON, CLERK

WRIT OF GARNISHMENT

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, OXFORD CITY BOARD OF EDUCATION (G001), and a copy on the defendant, HERNANDEZ NAOMY (D001) and make proper return to this

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE REGARDING YOUR RIGHTS.

NOTICE TO GARNISHEE: YOU ARE THE GARNISHEE IN THE ABOVE ACTION.

You must complete and file the enclosed Answer form within thirty (30) days from service of process. If you fail to file an Answer, the plaintiff can proceed for judgment against you for the amount of the claim, plus costs. Mailing the notarized Answer form to the Clerk of the Court at the address below constitutes making a proper appearance in the Court. YOU MUST ANSWER:

- (1) Whether you are or will be indebted to the defendant at the time you received this process, or when you make your answer, or during the intervening time, or
- (2) Whether you will be indebted to the defendant in the future by existing contract, or
- (3) Whether by existing contract you are liable to the defendant for the delivery of personal property, or for the payment of money, or
- (4) Whether you have in your possession or control, money or effects belonging to the defendant.

You are commanded to retain the amount indicated above from wages, salary or other compensation due or which will become due to the defendant for such period of time as is necessary to accumulate the sum \$ \$1671.20 (Judgment and costs). You are required, after a period of 30 days from the first retention of any sum from the defendant's wages, salary, or other compensation, to begin paying the moneys withheld into court as they are deducted or withheld and continue to do so on a monthly or more frequent basis until the full amount is withheld. If employment of the defendant is terminated BEFORE the sum is accumulated, you are required by law to report the termination and pay into court within 15 days AFTER termination, all sums withheld in compliance with this garnishment. (See Instructions on Garnishments attached in this packet). If you have in your possession or control property or money belonging to the defendant, which is NOT wages, salary or other compensation, and is not exempt as a matter of law, you are further commanded to hold the property or money, or the amount shown above as "Total," whichever is less, subject to orders of this Court.

Date issued: 7/27/2023 /s/ KIM MCCARSON Clerk By: /s/ JOM Deputy Clerk

Address: 25 WEST 11TH STREET SUITE 260, ANNISTON, AL 36201

This process was executed by serving a copy on (Garnishee) _____
 on (Date) _____ . Service on Defendant _____ on (Date) _____
 Served By: _____ Title: _____