

CIRCUIT COURT
OF SHELBY COUNTY, ALABAMA
IN EQUITY

REBECCA J. SFAKIANOS,

PLAINTIFF

VS.

CIVIL ACTION NO. DR 83 306.02

JOHN NICHOLAS SFAKIANOS

DEFENDANT

MOTION FOR CONDITIONAL JUDGMENT AGAINST GARNISHEE

Comes now the Plaintiff, by and through her Attorney, David E. Oglesby, and moves that this Honorable Court grant a conditional judgment against Sfakianos Decorating Company and/or John Sfakianos as Garnishee, and as grounds for said motion, says that:

1. Heretofore on, to-wit the 23rd day of February, 1984, Plaintiff's Attorney herein caused an Affidavit for Garnishment to be filed in the Court and thereafter on the 24th day of April, 1984, the Garnishment Writ was served on Sfakianos Decorating Company and/or John Sfakianos, which said Writ provided, among other things, for the Garnishee to make its answer under oath to the Register within thirty (30) days of service of the process.

2. That the Garnishee, Sfakianos Decorating Company, and/or John Sfakianos, has failed to make its answer as required by law and the terms of the Garnishment Writ.

PREMISES CONSIDERED, Plaintiff prays for an order, judgment and decree declaring a conditional judgment in favor of Plaintiff against Sfakianos Decorating Company and/or John Sfakianos, Garnishee, and that notice of such order, judgment and decree be given the said Sfakianos Decorating Company and/or John Sfakianos in the manner prescribed by law.

FILED IN OFFICE THIS THE 13 DAY
OF June, 1984

Kyle Langford

Clerk of Circuit Court
Shelby County, Alabama

✓ BOULOUKOS AND OGLESBY
ATTORNEYS FOR PLAINTIFF

BY: *David E. Oglesby*
✓ David E. Oglesby
1010 Frank Nelson Building
Birmingham, Alabama 35203
Telephone 322-1641

266 U 992

See release 7/1/84. 6-30-84. (9-17-84)

D E C R E E

THIS MATTER COMING ON TO BE HEARD on Plaintiff's Motion for Conditional Judgment against Garnishee, and upon consideration of the same by the Court, it is hereby

ORDERED, ADJUDGED and DECREED that Plaintiff have and recover from Sfakianos Decorating Company and/or John Sfakianos the sum of Two Hundred and Thirty-One Dollars (\$231.00) attorney's fees and costs, unless the said Sfakianos Decorating Company and/or John Sfakianos appear within thirty (30) days of service of a copy of this order and show cause why this judgment and decree should be set aside.

It is further, ORDERED, ADJUDGED and DECREED, that a copy of the foregoing Motion and a copy of this Order be served on the said Sfakianos Decorating Company and/or John Sfakianos by the Sheriff's office and return be made thereof.

DONE and ORDERED this the 19 day of June, 1984.

Harold B. McWain
CIRCUIT JUDGE IN EQUITY

PLEASE SERVE GARNISHEE:

Sfakianos Decorating Company

And/or John Sfakianos
408 9th Street
Pleasant Grove, Alabama 35127

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1984 JUL 10 PM 1:56

Thomas A. Lawrence
JUDGE OF PROBATE

Rec 5.00
Ind 1.00
6.00

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