

State of Alabama
Unified Judicial System

PROCESS OF GARNISHMENT

Case Number

006-164

Form C-21

Rev 2/93

IN THE Small Claims COURT OF Shelby COUNTY, ALABAMA

NAME AND ADDRESS OF PLAINTIFF (Person Asserting Claim)

NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment)

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF

DATE OF JUDGMENT

JUDGMENT AMOUNT: \$

COSTS: \$

LESS CREDIT: \$

OTHER: \$

TOTAL: \$

NAME AND ADDRESS OF GARNISHEE

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 30 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 before me this

day of

19

Notary Public/Clerk/Register. (Signature)

Affiant/Attorney (Signature)



CRYSTAL N. BAILEY
NOTARY PUBLIC
STATE OF ALABAMA
COMM. EXP. 11-22-2009

WRIT OF GARNISHMENT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve Process of Garnishment on the GARNISHEE, Blueberry Blue Truck & MC, and a copy on the Defendant, Kenazua Carter, and make proper return to this Court.

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE BACK OF THIS FORM (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 Court will 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 were 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 of 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 of \$ 867.33 (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, you are further commanded to hold the property or money subject to orders of this Court.

Date Issued:

Clerk/Register

Address:

RECORDER'S MEMORANDUM

At the time of recording, this instrument was found to be inadequate for the best photographic reproduction.

This Process was executed by serving a copy on (Garnishee)

on (Date)

Service on (Defendant)

on (Date)

Served by:

Title: