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58-DV-2019-900003.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

State of Alabama
Unified Judicial System

Form C-25A Rev. 11/15

APPLICATION AND AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT

Case Number
DV-2019-900003

IN THE DISTRICT COURT OF SHELBY, ALABAMA
(Circuit or District) (Name of County)

DOMINION TRANSPORTATION v. TRAVIS L. SMITH
Plaintiff Defendant

☐ I, affiant, request that the ☐ clerk of court, or ☐ judge, pursuant to Rule 55(b), Alabama Rules of Civil Procedure (ARCP), enter a default judgment against the above - named defendant,* in the above case for the defendant's failing to plead, answer, or otherwise defend.

The affiant, WILLIAM T. FORTUNE, being duly sworn, states as follows:

1. That the affiant has personal knowledge of the facts set forth in the affidavit.
2. That the defendant was served with a summons and a copy of the Statement of Claim/Complaint on (date) 1-12-19.
3. That more than 14 days have elapsed since the defendant was served with a summons and a copy of the Statement of Claim/Complaint.
4. That the defendant has failed to answer or otherwise defend against the plaintiff's Statement of Claim/Complaint.
5. That this affidavit is executed by the affiant in accordance with Rule 55(b), ARCP, for the purpose of enabling the plaintiff to obtain a default judgment against the defendant, for the defendant's failing to answer or otherwise defend against the plaintiff's Statement of Claim/Complaint.
6. That the defendant is not an infant or an incompetent person, and there has been no violation of the provisions of Ala. Code 1975, Chapter 19, Title 6.
7. That the defendant ☐ is ☑ is not in military service.
8. Judgment Conditions: ☐ with ☑ without waiver of exemptions.
9. That the amount of money claimed by the defendant to the plaintiff is
   ☑ THE SUM OF $ 6861.01, which is to be determined as follows:
   Principal Balance $ 5000
   Interest $ 0
   Court Costs $ 311.01
   Attorney Fee $ 1550 (if requesting attorney's fees, it must be determined by the judge, not the clerk).
   (If provided by contract, note or law)

☐ SPECIFY PROPERTY (Describe, on a separate sheet of paper, property of which the plaintiff demanded right to possession from the defendant in the Statement of Claim/Complaint.)

10. The affiant requests entry of judgment: ☐ By the Court ☐ By the Clerk

Name of Affiant: William T. Fortune
Signature of Affiant:
Affiant's Home or Business Address (if not represented by an attorney):
City State Zip Code

Sworn To and Subscribed Before Me This
Date: 4-10-19
Officer's Signature
Title

Name of Attorney: William T. Fortune
Signature of Attorney:
Business Address of Attorney: 3117 Blue Lake Drive
Vestavia, Alabama 35243
City State Zip Code

☑ Default judgment is hereby rendered against the defendant in the amount of $ 6,861.01
12 Apr 2019
Date
Judge/Clerk

☐ Default judgment is hereby rendered against the defendant and the plaintiff is awarded right to possession of the property sworn to in the affidavit above.

Date
Judge/Clerk

CERTIFICATE OF SERVICE ON OTHER PARTIES

I hereby certify that a copy of this Application, Affidavit, and Entry of Default Judgment has been sent, by first class mail, postage prepaid, to all parties who are not in default in this case.

Certified true and correct copy
Date: 02/07/20
Mary H. Harris Circuit Clerk
Shelby County, Alabama

Rule 55, ARCP

*Separate form shall be completed for each defendant in cases involving multiple defendants.

Pursuant to Ala. Code 1975, §12-19-71(a) (10), a filing fee is required when seeking a default judgment pursuant to Rule 55(b), ARCP.

Original – Court File Copy – Plaintiff Copy – Defendant

20200224000071460 1/1 $22.00
Shelby Cnty Judge of Probate, AL
02/24/2020 10:37:54 AM FILED/CERT