

20220315000106530  
03/15/2022 11:07:15 AM  
AFFID 1/4

THIS INSTRUMENT WAS PREPARED BY:  
MIKE T. ATCHISON, ATTORNEY  
P. O. BOX 822  
COLUMBIANA, AL 35051

STATE OF ALABAMA  
SHELBY COUNTY

**AFFIDAVIT**

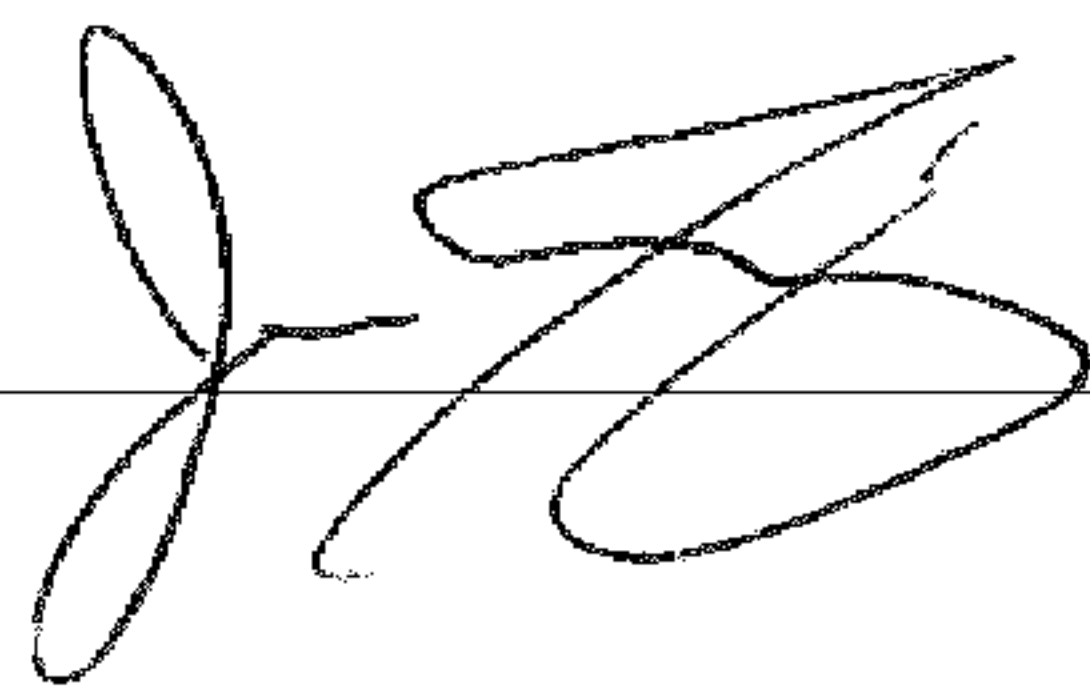
Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Jason King who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Jason King and I am over the age of 21 years, and a resident citizen of Shelby County.

Shelby County Abstract & Title Co. Inc informs me there appears to be a judgement from Midland Funding LLC dated November 14, 2019, recorded in Instrument # 20191114000423670, Probate Office of Shelby County, Alabama. I have not been contacted by Midland Funding, LLC or any other financial institution requesting payment on said judgement. This judgement is paid in full.

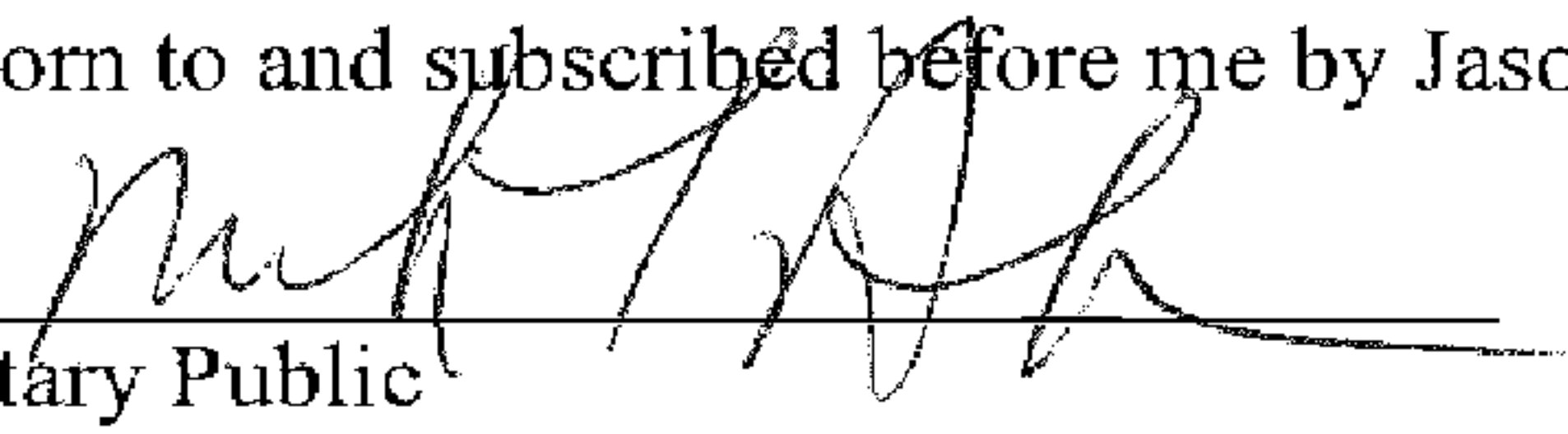
I do not have any outstanding obligations that I am aware of nor have I received any notice of any suit or judgments having been filed against me.

This affidavit is given for the purpose of inducing Shelby County Abstract & Title Co. Inc and Stewart Title Guaranty Company against any such judgments and liens, which may affect the title to the aforesaid property.

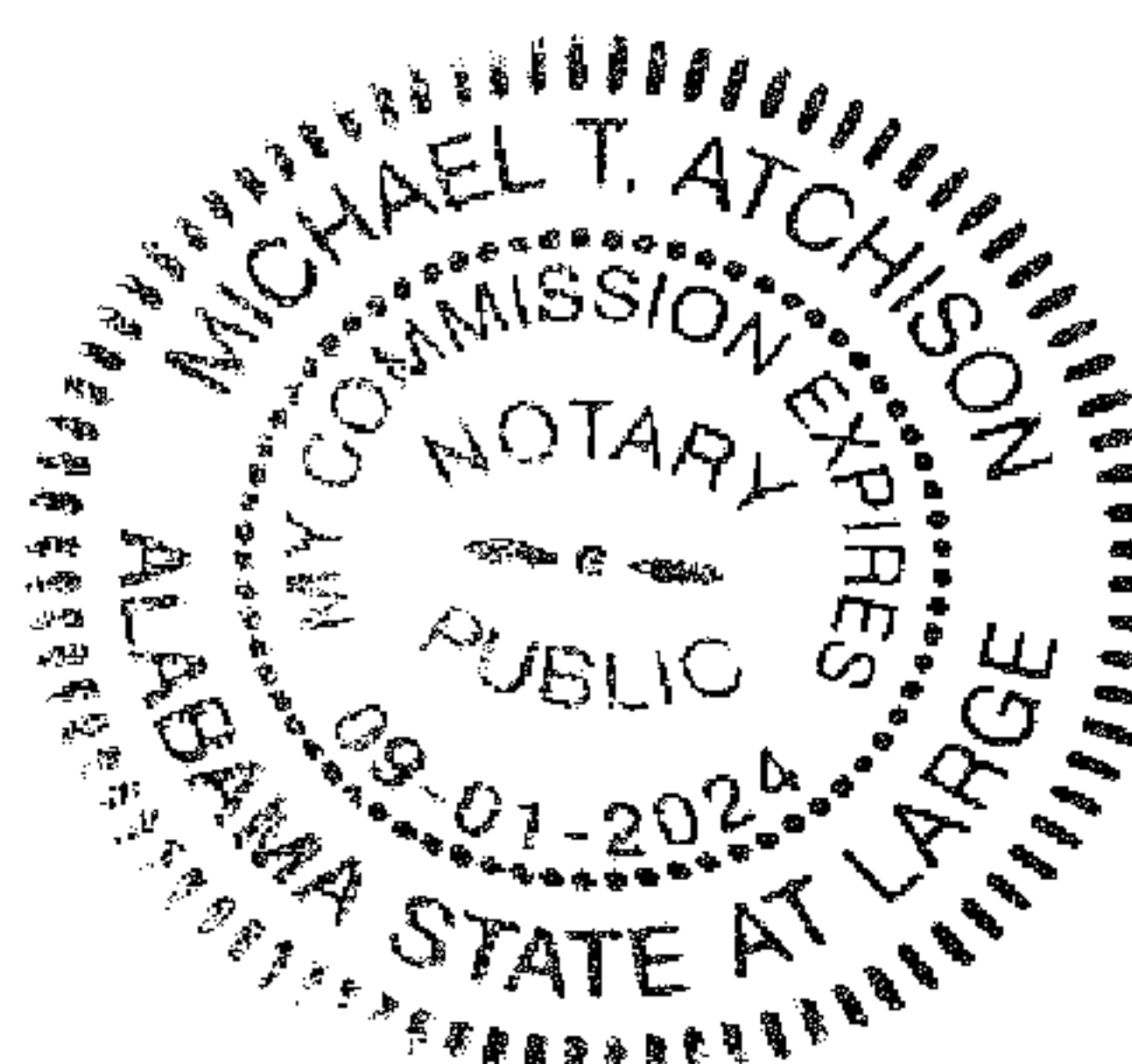
x 

STATE OF ALABAMA  
COUNTY OF SHELBY

Sworn to and subscribed before me by Jason King on this 11<sup>th</sup> day of March, 2022.

  
Notary Public

My Commission Expires:





**Midland  
Credit  
Management**

350 Camino De La Reina  
Suite 100  
San Diego, CA 92108

Jason P King  
10580 N Main St  
Wilsonville, AL 35186-7223

P7T60 004



Phone	(877) 231-8885
Hours of Operation	Sun-Th: 5am-9pm PT; Fri-Sat: 5am-4:30pm PT;

Original Creditor	Citibank, N.A.
Original Account Number	6035320408230801
MCM Account Number	8579428895
Current Balance	\$0.00
Current Owner	Midland Funding LLC
Total Payments Made	\$1,165.69

01-17-2020

RE Citibank, N.A. The Home Depot Consumer

Dear Jason,

MCM would like to thank you for resolving your account by making payments totaling \$1,165.69. This account was satisfied on 12-26-2019 and you have no further obligation on this debt.

However, if payment is declined or returned for any reason, this letter will be null and void.

Sincerely,  
Tim Bolin, Division Manager  
(877) 231-8885, Ext. 32900

An update will be sent to the three major consumer reporting agencies instructing them to report the account as paid.

IN THE SMALL CLAIMS COURT OF SHELBY COUNTY



ELECTRONICALLY FILED

6/11/2019 4:35 PM

58-SM-2019-900903.00  
CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

MIDLAND FUNDING LLC

Plaintiff,

Y.

JASON KING

Defendant(s)

Case No:

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff, MIDLAND FUNDING LLC, complains of JASON KING , and would respectfully show the following:

## FACTS

Original Creditor Number	Original Creditor	Amount
XXXX-XXXX-XXXX-0801	CITIBANK, N.A.	\$1,549.33

1. Defendant defaulted on the obligation to make periodic payments on the credit card account. The entire balance on the credit card is presently due and payable in full.
2. The account was assigned to the Plaintiff, who has the right to bring this action.
3. The Issuer provided to Defendant, periodic billing statements, which reflected, among other things, the payment due, and the total balance due. These statements were delivered to the Defendant and not returned undelivered to Issuer.

**This communication is from a debt collector and is an attempt to collect a debt, any information obtained will be used for that purpose.**

**FIRST CAUSE OF ACTION - MONEY HAD AND RECEIVED**

4. Defendant received and used (or authorized the use of) the credit card knowing that the Issuer expected to be repaid for all charges incurred with the card, together with interest thereon. With each use of the credit card the Issuer paid money on behalf of Defendant to the merchant with whom the credit card was used. Defendant is liable for repayment of such sums under the doctrine of money had and received. Plaintiff is the assignee of the Issuer's right to be repaid by the defendant for such money had and received.

**SECOND CAUSE OF ACTION - ACCOUNT STATED**

5. Plaintiff asserts that the Defendant use of the credit card to purchase goods and services represented a periodic account, for which the Issuer rendered periodic statements to Defendant. To the best of Plaintiff's knowledge and belief, Defendant did not make a timely and valid dispute to Issuer. Plaintiff is the assignee of the Issuer's right to be repaid by the Defendant for such account stated.

**THIRD CAUSE OF ACTION - BREACH OF CONTRACT**

6. By using and/or authorizing the use of the credit card, Defendant accepted the contract with the Issuer and also became subject to all of the terms and conditions of the card agreement.
7. Defendant defaulted in the payment obligation on the credit card. Such breach of contract proximately caused the Issuer damages in the amount of the balance due on the credit card account. That obligation has been assigned to Plaintiff, who is the party entitled to enforce the contract and receive payment of the credit card balance.

WHEREFORE, premises considered, Plaintiff prays that the Court enter judgment against the Defendant for:

- A. \$1,549.33, which is the balance due;
- B. all costs of court including service of process costs as may be allowed by the court;
- C. post judgment interest at the Alabama statutory rate;
- D. all such other and further relief to which Plaintiff may be justly entitled.



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
03/15/2022 11:07:15 AM  
\$31.00 JOANN  
20220315000106530

*Alvin S. Byrd*

/s/R. Mac  
Dunlap  
(DUN067)

Digitally signed by /s/  
R. Mac Dunlap  
(DUN067)  
DN: cn=/s/R. Mac  
Dunlap (DUN067),  
o=Zarzaur and  
Schwartz, P.C.,  
ou=Zarzaur and  
Schwartz, P.C.,  
email=rdunlap@zsa  
torneys.com, c=US  
Date: 2019.04.18  
12:02:24 -05'00'

**OF COUNSEL:**  
Zarzaur & Schwartz, P.C.  
P.O. Box 11366  
Birmingham, AL 35202  
205-250-8437  
Our File # 19-5560