

STATE OF ALABAMA
UNIFIED JUDICIAL SYSTEM

PROCESS OF GARNISHMENT

CASE NUMBER
DV 14-903649

IN THE DISTRICT COURT OF JEFFERSON COUNTY

Plaintiff: WILDWOOD APARTMENTS 88, LLC
Address: 601 WILDEROOK LANE
BIRMINGHAM, ALABAMA 35216Defendant: URSULA ARMBRESTER
SOCIAL SECURITY NO.

Attorney: JIM M. SANDEFER

Address: c/o BELK AT THE SUMMIT (PERSONAL SERVICE)
221 SUMMIT BLVD
BIRMINGHAM, AL 35243Address: 6 OFFICE PARK CIRCLE, SUITE 120
MOUNTAIN BROOK, ALABAMA 35223GARNISHEE: UPS, Payroll Service Center
Address: E. Sandy Lake Rd
Coppell, Tx 75019

Judgment Amount	\$ 4,492.89
Costs	\$ 415.59
Certified Mail	\$ 6.74
Interest	
Total	\$ 4,915.22

Date of Judgment:
10/30/15

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.

Signed to and subscribed before me this 18th day of December, 2015.

Notary Public (Signature) MY COMMISSION EXPIRES 11/07/17

Affiant/Attorney (Signature)

ALABAMA STATE AT LARGE

WRIT OF GARNISHMENT

AMBER L. ALLISON
TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:
MY COMMISSION EXPIRES 11/07/17

You are hereby commanded to serve Process of Garnishment on the GARNISHEE UPS, Payroll Service CenterAnd a copy on the DEFENDANT URSULA ARMBRESTER. And make proper return to this Court.

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE BACK OF THIS FOR (Regarding Your Rights).

NOTICE TO GARNISHER: YOU ARE THE GARNISHER 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. You must file the Answer Form to the clerk of the court at the address below constituting making a proper appearance in the court. Return the Answer Form to the clerk of the court at the address below.

- (1) whether you are or were indebted to the defendant at the time you received this process, 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 wages, salary or other compensation due to the Defendant for such period of time as is necessary to accumulate the sum of \$ 4,915.22 (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 money 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 instruction 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 the orders of this Court.

Date Issued:

DISTRICT COURT OF JEFFERSON COUNTY, CIVIL
ROOM 400 COURTHOUSE
716 RICHARD ARMYINGTON JR BLVD N
BIRMINGHAM, ALABAMA 35203
PHONE 325-5331

By: Anne Marie Adams
Deputy Clerk

JAN 25 2016

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

(State name & title of person accepting service)

(Defendant)

On (Date)

Service on

Served by:

On (Date)

Title:

PROCESS OF GARNISHMENT

Instructions for Determining the Percentage of Wages, Salary or Other Compensation to be Withheld

- I. **GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM SITUATIONS OTHER THAN CONSUMER LOANS, CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF §6-10-7, Code of Alabama 1975 and Title 16, §1673, United States Code ("U.S.C.").** Under Alabama and Federal Law, the amount subject to garnishment to collect such judgments shall not exceed the **LESSER** of:
- (1) twenty-five (25) percent of the amount by which "disposable earnings" exceed the federal minimum hourly wage at the time earnings are
 - (2) the amount by which "disposable earnings" exceed the federal minimum hourly wage in effect at the time the earnings are

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 Form 3849 (Rev. 4-15-80)

federal minimum hourly

CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF §6-19-15, Code of Alabama 1975 and Title 16, §1674, U.S.C., subject to

federal minimum hourly wage in effect at the time the earnings are

the federal minimum hourly wage at the time the earnings are

of an individual remaining after Security Tax, and state and local taxes.

- II. **GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM SITUATIONS OTHER THAN CONSUMER LOANS, CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF §6-19-15, Code of Alabama 1975 and Title 16, §1674, U.S.C.,** subject to
- A. Under this law, if the debt garnishment shall not exceed the **LESSER** of:
 - (1) twenty-five (25) percent of the amount by which "disposable earnings" exceed the federal minimum hourly wage at the time the earnings are
 - (2) the amount by which "disposable earnings" exceed the federal minimum hourly wage in effect at the time the earnings are
 - B. If the debt or demand was

DISPOSABLE EARNINGS DEFINED: As the amount of earnings after deductions of amounts required by taxes.

Notes: If you have in your possession other compensation, you also apply it to the property sought. Use the following formula:

- (1) Calculate "disposable earnings" amount by twenty-five (25) percent.
 - (2) If the twenty-five (25) percent "disposable earnings" amount is less than the federal minimum hourly wage in effect at the time the earnings are payable by you, multiply the "disposable earnings" amount by twenty (20) percent.
 - (3) If the twenty (20) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty (20) percent. Multiply the "minimum wage amount" in effect at the time the earnings are payable by you by fifty (50).
 - (4) After the calculation is made in accordance with (2) or (3) above (whichever is applicable), the amount of the garnishment for the week is the **LESSER** amount. Withhold this amount and pay it into Court as instructed in the "Writ of Garnishment" on the front of this form.
 - (5) **THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE YOU SHOULD CONSULT A LAWYER FOR ADVICE.**
- PROTECTION AGAINST DISCHARGE:** Title 16, §1674, U.S.C., prohibits an employer from discharging any employee because his or her earnings have been subject to garnishment for any one indebtedness.

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, and fee is appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postmark Here

Postage

Total Postage and Fees

Total

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Time

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