

State of Alabama
Unified Judicial System
Locator# 11-01949-0
Date Prepared February 1, 2012

PROCESS OF GARNISHMENT

Case Number
DV 11-900034

Form C-21 Rev 2/03

IN THE DISTRICT COURT OF TALLADEGA COUNTY
417-94-2906

Plaintiff: CAVALRY PORTFOLIO SERVICES, LLC.,
Delaware limited liability company
3/3/0 HSBC Bank Nevada, NA
NADLER & ASSOCIATES, P.C.
2871 ACTON ROAD
SUITE 101 A
BIRMINGHAM, AL 35243

Defendant: Joe C Duncan, Jr
1274 Nottingham Rd
Alpine, Alabama 35014-5282

Attorney: (Person Assisting Court)

Attorney: (Person Assisting Court)

Judgment Date: January 11, 2012
Judgment/Decree: 7,667.78

Garnishee: Home Depot U.S.A, Inc.
Store Support Center
Address: 2455 Paces Ferry Road
Atlanta, GA 30339
(Serve by Certified Mail)

Costs: 335.09
Other: 33.09
Less Payments: .00
TOTAL: 8,035.96

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 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 earning 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 earning for the week exceed 50 times the federal minimum hourly wage in effect at the time the earnings are payable, WHICHEVER IS LESS,
- C. I hereby request disbursement of amounts periodically paid into court pursuant to this garnishment. Sworn to and subscribed before me this 12 day of Feb, 2012

Commission Expires
2-17-2013

Clerk/Registrar (Signature)

Affiant/Attorney (Signature)

WRIT OF GARNISHMENT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve Process of Garnishment on the following parties:
Garnishee, HOME DEPOT U.S.A, INC. and a copy on the
Defendant, JOE C DUNCAN, JR 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 Plaintiff can 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 \$ 8,035.96 (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 Garnishment.)

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: 2-21-2012

Clerk/Registrar

By:

Deputy Clerk

Address: P.O. Box 6137, Talladega AL 35881

This process executed by serving a copy on _____

day of _____, 20____ By _____

Title: _____ Service on Defendant

this _____ day of _____, 20____ By _____

Title: _____