



ELECTRONICALLY FILED
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13-SM-2024-900104.00
DISTRICT COURT OF
CHEROKEE COUNTY, ALABAMA
DWAYNE AMOS, CLERK

State of Alabama
Unified Judicial System
Form C-21 (Front) Rev. 7/2017

PROCESS OF GARNISHMENT

IN THE SMALL CLAIMS COURT OF CHEROKEE COUNTY, ALABAMA

NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):

HARBIN, LLC a/a/o BESTWAY RENTAL, INC.
P.O. BOX 70163
MOBILE AL 36670

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

MARCUS WILBANKS, xxx-xx-5350
156 COUNTY ROAD 857
CEDAR BLUFF AL 35959

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:

Michael A. Griggs
100 Executive Park Dr.
Tallassee, AL 36078 (T: 334-252-1010)

DATE OF JUDGMENT: June 4, 2024

JUDGMENT AMOUNT: \$ 2522.14
INTEREST: \$ 7.77
COSTS: \$ 212.68
LESS CREDIT: \$ 0.00
OTHER: \$ 21.93-CM/record jdmt
TOTAL: \$ 2,764.52

NAME AND ADDRESS OF GARNISHEE:

THE HEIL CO.
PAYROLL/GARNISHMENTS
3005 HIGHLAND PKWY. STE 200
DOWNS GROVE IL 60515

CM sent by filer

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**; OR
 - 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 6-19-24 day of June

Notary Public: Michael A. Griggs
My Commission Expires: 6/16, 2025

Michael A. Griggs
Affiant/Attorney (Signature)

WRIT OF GARNISHMENT

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, THE HEIL CO., and a copy on the Defendant, MARCUS WILBANKS, 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 a 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 proper appearance in the Court. **YOU MUST ANSWER:**

- (1) Whether you are or will be 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 from 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 \$2764.52 (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 monies 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 the 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, and is not exempt as a matter of law, you are further commanded to hold the property or money or the amount shown above as "Total", whichever is less, subject to orders of this Court.

Date issued: _____ By: _____
Clerk Deputy Clerk

Address: CHEROKEE COUNTY COURTHOUSE, MAIN STREET, CENTRE AL 35960

This process was executed by serving a copy on (Garnishee) THE HEIL CO. on (Date) _____, Service on (Defendant) MARCUS WILBANKS, on (Date) _____.

Served by: _____ Title: _____