

DOCUMENT 21
PROCESS OF GARNISHMENT



ELECTRONICALLY FILED
6/18/2025 12:28 PM
12-DV-2018-900018.00
DISTRICT COURT OF
CHAMBERS COUNTY, ALABAMA
LISA BURDETTE, CLERK

IN THE DISTRICT COURT OF CHAMBERS COUNTY

NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):

DEVILLE ASSET MANAGEMENT, LTD ASSIGNEE OF
ANTANDER CONSUMER USA
c/o Aldridge Pite Haan, LLP
P.O. Box 7389
Marietta, GA 30065
Toll Free: 1-800-844-0045

NAME AND ADDRESS OF DEFENDANT:

STEVEN S WHITTINGTON
1073 COUNTY ROAD 500
VALLEY AL 36854
***-**-3483
CHAMBERS County

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:

Aldridge Pite Haan, LLP
P.O. Box 7389
Marietta, GA 30065
Toll Free: 1-800-844-0045
Facsimile: 470-201-1231
APH File No.: 25-50573

DATE OF JUDGMENT: October 15, 2019

JUDGMENT AMOUNT: \$9,208.08

INTEREST: \$3,827.53

COSTS: \$394.10

LESS CREDIT: \$.00

OTHER: \$.00

TOTAL: \$13,429.71

NAME AND ADDRESS OF GARNISHEE:

WAFFLE HOUSE, INC.
AFS: CORPORATION SERVICE COMPANY INC
641 SOUTH LAWRENCE STREET
MONTGOMERY, AL 36104
MONTGOMERY County

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.

Sworn to and subscribed to me this _____
day of June 10, 2025

/s/ Maria Lara
Notary Public/Clerk (Signature)

My Commission Expires: October 12, 2025

/s/ James A. Nadler
Affiant Attorney (Signature) NAD002

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, WAFFLE HOUSE, INC., and a copy on the defendant, STEVEN S WHITTINGTON, and make proper return to this Court.

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE 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 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 \$13,429.71 (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 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: _____

Clerk

Address: Chambers County Courthouse, 1, _____

By: _____

Deputy Clerk

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

on (Date) _____ Service on (Defendant) _____ on (Date) _____

Served by: _____ Title: _____

COURT RECORD (Original) PLAINTIFF (Copy) DEFENDANT (Copy) GARNISHEE (Copy)

Six Piedmont Center
3525 Piedmont Rd NE, Suite 750
Atlanta, GA 30305
P: 470.240.3440
F: 470.201.1231

www.aph-law.com

A|P|H LLP
ALDRIDGE PITE HAAN

District Court of Chambers Co.
2 South LaFayette Street
LaFayette, AL 36862

Dear Clerk:

Please see enclosed Motion for Service of Posting and Mailing.

Attorney for the Plaintiff is James A. Nadler (NAD002).

If you have any questions or anything further is required, please do not hesitate to contact us.

Sincerely,

Aldridge Pite Haan LLP

NOV 14 2025

25-50573

IN THE DISTRICT COURT OF CHAMBERS COUNTY, ALABAMA

DEVILLE ASSET MANAGEMENT, LTD
ASSIGNEE OF SANTANDER CONSUMER USA
Plaintiff,

CASE NO. DV-2018-900018.00

v.

STEVEN S WHITTINGTON
Defendant(s).

v.

WAFFLE HOUSE, INC.
Garnishee.

VERIFIED MOTION FOR SERVICE OF POSTING AND MAILING
PURSUANT TO ALABAMA CODE § 6-6-394.1

Now comes Plaintiff, DEVILLE ASSET MANAGEMENT, LTD ASSIGNEE OF SANTANDER CONSUMER USA, and respectfully requests this Honorable Court enter an order directing service of the notice of the defendant's right to claim an exemption from garnishment by posting and mailing pursuant to Alabama Code § 6-6-394.1. In support of its motion, Plaintiff states as follows:

Before me a Notary Public and for Fulton County, Georgia, the undersigned attorney personally appeared, who is known to me and who being first duly sworn and deposes on oath states as follows: I am an Attorney for the Plaintiff in this action. Notice was issued to defendant at the last known address contemporaneously with service of process of garnishment upon the garnishee, but was returned not found or service was otherwise not accomplished.

NOV 14 2025

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order for service by posting and mailing under Alabama Code § 6-6-394.1 to include:

1. Order the Clerk of the Court to post (i) a copy of the notice of garnishment, including the defendant's rights to claim an exemption as provided in Rule 64A of the Alabama Rules of Civil Procedure and (ii) this Court's Order Granting Service by Posting and Mailing its official website and in a designated and conspicuous location with the courthouse for four (4) continuous weeks.
2. Order the Clerk of the Court to send by regular U.S. Mail a copy of the posted notice of garnishment to the defendant at the defendant's last known address.
3. Order the cost of this motion and service to be made taxable to the defendant.

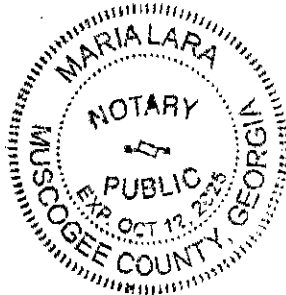
/s/ James A. Nadler
James A. Nadler (NAD002)
Attorney for Plaintiff

SWORN TO and subscribed before me on the
23 day of Sept., 2025.

Maria L. Lara
Notary Public

OF COUNSEL:
Aldridge Pite Haan, LLP.
P.O. Box 7389
Marietta, Georgia 30065

File No. 25-50573



CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2025, I have served a copy of the above and foregoing Motion on the Defendant or Defendant's Counsel either by electronic transmittal via the Court's electronic filing system or by placing a copy of same in the United States Mail, postage prepaid and properly addressed to his last known address as follows:

STEVEN S WHITTINGTON
1075 COUNTY ROAD 500
VALLEY AL 36854

/s/ James A. Nadler
Of Counsel

State of Alabama
Unified Judicial System

FORM C-15 Rev. 10/92

ORDER OF SERVICE AND RETURN

Case Number

12-DV-2018-900018.00

IN THE DISTRICT COURT OF CHAMBERS COUNTY, ALABAMA

DEVILLE ASSET MANAGEMENT, LTD AS ASSIGNEE OF V. STEVEN S WHITTINGTON (D001)

SANTA (C001)

Plaintiff

Defendant

(For Juvenile cases only):

In the Matter of:

TO ANY SHERIFF OF THE STATE OF ALABAMA OR ANY OTHER AUTHORIZED PERSON:

You are hereby commanded to deliver the attached document(s), namely

- a. Order of Service and Return
- b. Process of Garnishment
- c. Instructions
- d. Writ of Garnishment

to (name): STEVEN S WHITTINGTON (D001) (G001)

at the following address: 1075 COUNTY ROAD 500, VALLEY, AL 36854-0000

and make return to this court.

6/18/2025

Date

/s/ LISA BURDETTE

By

Signature of Court Clerk

LISA BURDETTE

2 LAFAYETTE STREET

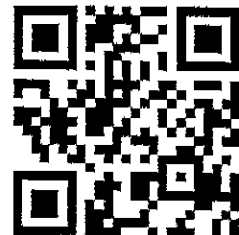
LAFAYETTE, AL 36862

RETURN ON SERVICE

I hereby certify that I personally delivered a copy of the attached document(s)

In The DISTRICT Court of CHAMBERS County, Alabama to

(Name of County or Municipality)



Name: STEVEN S WHITTINGTON (D001) (G001)

on (Date):

Address: 1075 COUNTY ROAD 500

City/State/Zip Code: VALLEY, AL 36854-0000

Address
of Server:

Signature of Server

City/State/Zip Code:

Type of Process Server

PROCESS OF GARNISHMENT



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DISTRICT COURT OF
CHAMBERS COUNTY, ALABAMA
LISA BURDETTE, CLERK

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, WAFFLE HOUSE, INC (G001) and a copy on the defendant, WHITTINGTON STEVEN S (D001) and make proper return to this Court.

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE 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 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 \$ \$13429.71 (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 Instructions on Garnishments attached in this packet). 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: 6/18/2025
Clerk

By: /s/ JOA

Deputy Clerk

Address: 2 LAFAYETTE STREET, LAFAYETTE, AL 36862

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

on (Date) _____, Service on Defendant _____ on (Date) _____

Served By: _____ Title: _____