

IN THE SMALL CLAIMS COURT OF BIBB COUNTY
STATE OF ALABAMA

RIVER HEIGHTS CAPITAL, LLC A/A/O
1ST FRANKLIN FINANCIAL
CORPORATION
Plaintiff,

Case No: 07-SM-2019-900297

v.

MELISSA LAWLEY
Defendant.

MOTION FOR SERVICE OF WAGE GARNISHMENT

COMES NOW, the Plaintiff, by and through counsel and pursuant to Section 6-6-394.1 of the Alabama Code, and moves this Honorable Court to all the Clerk of the Court to perfect service of this garnishment by the posting and mailing of this notice, and as grounds states as follows:

1. On or about January 13, 2020, a judgment was entered in favor of the Plaintiff and against the Defendant.
2. The Plaintiff subsequently filed a garnishment to TRUSTMARK, who filed an answer of employed or has paid funds to the Clerk's office.
3. Service of process was attempted upon the Defendant contemporaneously with service of process upon the garnishee, such was returned as not found or otherwise not accomplished.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff requests that this Honorable Court to allow service of the garnishment via posting and ordinary mail.

Respectfully Submitted,

/s/ R. Todd Mishkin
R. Todd Mishkin (MIS006)
Resolution Law Group, LLC
P.O. Box 43184
Vestavia, AL 35243

FILED IN OFFICE
AUG 13 2026
KAYLA COONER, CLERK

Our File # 18256

Certificate of Service

I hereby certify that I delivered a copy of the forgoing pleading on all parties of record by electronic filing on August 6, 2026.

/s/ R. Todd Mishkin
R. Todd Mishkin (MIS006)
Attorney for Plaintiff

IN THE SMALL CLAIMS COURT OF BIBB COUNTY
STATE OF ALABAMA

RIVER HEIGHTS CAPITAL, LLC A/A/O
1ST FRANKLIN FINANCIAL
CORPORATION
Plaintiff,

CASE NO.: 07-SM-2019-900297

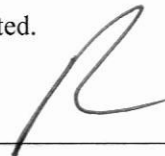
vs.

MELISSA LAWLEY
Defendant.

STATE OF ALABAMA
JEFFERSON COUNTY

BEFORE ME, the undersigned authority in and for said State and County, personally appeared,
R. Todd Mishkin, who being first duly sworn, on oath deposes and says as follows:

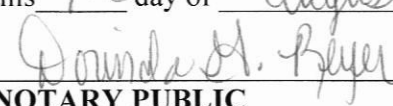
1. My name is R. Todd Mishkin and I am an attorney with the law firm of Resolution Law Group, LLC, attorneys for the Plaintiff in this matter, and I have personal knowledge of the facts set forth in this affidavit pertaining to the instant case.
2. A final judgment was entered in favor of the Plaintiff and against the Defendant on January 13, 2020.
3. A garnishment was filed and the garnishee is indebted to the Defendant. Service was attempted contemporaneously on the Defendant; however, such was not perfected.
4. Further Affiant sayeth not.



AFFIANT

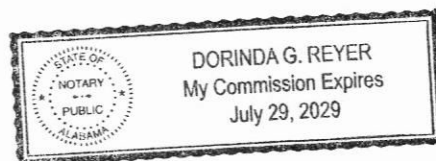
SWORN AND SUSCRIBED BEFORE ME

this 7th day of August, 2026



NOTARY PUBLIC

Commission Expires:



FILED IN OFFICE
AUG 13 2026
KAYLA COONER, CLERK

PROCESS OF GARNISHMENT



ELECTRONICALLY FILED
4/27/2026 2:21 PM
07-SM-2019-900297.00
DISTRICT COURT OF
BIBB COUNTY, ALABAMA
KAYLA COONER, CLERK

IN THE SMALL CLAIMS COURT OF BIBB COUNTY

NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):
RIVER HEIGHTS CAPITAL, LLC a/a/o 1ST FRANKLIN FINANCIAL CORPORATION

NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment):
SSN ***-**-XXXX-1148 (Optional)
MELISSA LAWLEY
2075 COUNTY ROAD 45, STANTON, AL 36790

NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:

Resolution Law Group, LLC ID: 18256
PO Box 43184 Vestavia, AL 35243

DATE OF JUDGMENT: 01/13/2020

JUDGMENT AMOUNT: \$ 638.33

INTEREST: \$ 300.70

COSTS: \$56.16

LESS CREDIT: \$

OTHER: \$

TOTAL: \$ 995.19

NAME AND ADDRESS OF GARNISHEE:

TRUSTMARK
ATTN: GARNISHMENTS
248 EAST CAPITOL ST
Jackson, MS 39201

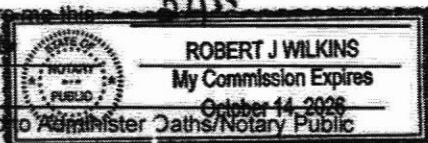
AFFIDAVIT

- 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 before me this 24th

day of April 2026

Signature of Officer Authorized to Administer Oaths/Notary Public



[Signature]
Affiant/Attorney (Signature)

(Notary Public Only: My Commission expires on _____)

(Date)).

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, TRUSTMARK

(Name of garnishee)

and a copy on the defendant, MELISSA LAWLEY and make proper return to this Court.

(Name of defendant)

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 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 \$995.19 (Judgment and costs). You

are required, after a period of 30 days from the first retention of any sum from the defendants wages, salary, or other compensation, to begin paying the moneys withheld into court as they are deduced 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: _____

By: _____

Clerk

Deputy Clerk

Address: _____

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

on (Date) _____ Service on (Defendant) _____ Served by: _____

Title: _____

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, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF: §6-10-7, *Code of Alabama* 1975, and Title 15, §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 "disposable earnings" for the week; OR
- (2) the amount by which "disposable earnings" for the week exceed thirty (30) times the federal minimum hourly wage in effect at the time the earnings are payable.

- II. GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM CONSUMER LOANS, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF: §5-19-15, *Code of Alabama*, 1975 as amended by Act 88-294, effective April 12, 1988, and Act 96-576, effective 5/20/1996.

A. Under this law, if the debt or demand was created ON OR AFTER April 12, 1988, the amount subject to garnishment shall not exceed the LESSER of:

- (1) twenty-five (25) percent of "disposable earnings" for the week; OR
- (2) the amount by which "disposable earnings" for the week exceed thirty (30) times the federal minimum hourly wage in effect at the time the earnings are payable

B. If the debt or demand was created BEFORE April 12, 1988, the amount subject to garnishment shall not exceed the LESSER of:

- (1) twenty (20) percent of "disposable earnings" for the week; OR
- (2) the amount by which "disposable earnings" for the week exceed fifty (50) times the federal minimum hourly wage in effect at the time the earnings are payable

DISPOSABLE EARNINGS DEFINED: An employee's "disposable earnings" means that part of earnings of an individual remaining after deduction of amounts required by law to be withheld such as Federal Income Tax, Federal Social Security Tax, and State and Local Taxes.

NOTICE TO GARNISHEE

Note: 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 commanded to hold the property or money, or the amount shown on the other side as "Total," whichever is less, subject to the orders of the Court. Social Security, SSI, VA and federal retirement moneys are all exempt under federal law and remain so even when deposited in a bank or other financial institution. If the only money in your possession or control belonging to the defendant is Social Security, SSI, VA or federal retirement moneys, you should indicate in your answer "all such money is exempt from execution." The formula outlined below only applies if the property sought to be garnished is wages, salary or other compensation of the defendant.

(Use the following formula to calculate a garnishment of wages, salary or other compensation)

- (1) Calculate "disposable earnings" for the week (see definition of disposable earnings" above)
- (2) If the twenty-five (25) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty-five (25) percent. Then multiply the "minimum wage amount" (in effect at the time the earnings are payable by you) by thirty (30) and subtract this amount from "disposable earnings." Compare these two and obtain lesser amount.
- OR
- (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) and subtract this amount from "disposable earnings." Compare these two and obtain lesser amount.
- (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 15, §1674, U.S.C., prohibits an employer from discharging any employee because his or her earnings have been subjected to garnishment for any one indebtedness.

NOTICE TO DEFENDANT OF RIGHT TO CLAIM EXEMPTION FROM GARNISHMENT

A process of garnishment has been delivered to you. This means that a Court may order your wages, money in a bank, sums owned to you, or other property belonging to you, to be paid into Court to satisfy a judgment against you.

Laws of the State of Alabama and of the United States provide that in some circumstances certain money and property may not be taken to pay certain types of court judgments, because certain money or property may be "exempt" from garnishment. For example, under State law, in some circumstances, up to \$7,500.00 in personal property, including money (except wages, salaries, or other compensation), bank accounts, automobiles, appliances, etc. may be exempt from process of garnishment. Similarly, under Federal law, certain benefits and certain welfare payments may be exempt from garnishment. Benefits and payments ordinarily exempt from garnishment include, for example, Social Security payments, SSI payments, veteran's benefits, AFDC (welfare) payments, unemployment compensation payments, and workers' compensation payments.

THESE EXAMPLES ARE FOR PURPOSES OF ILLUSTRATION ONLY. WHETHER YOU WILL BE ENTITLED TO CLAIM ANY EXEMPTION FROM THE PROCESS OF GARNISHMENT, AND, IF SO, WHAT PROPERTY MAY BE EXEMPT, WILL BE DETERMINED BY THE FACTS IN YOUR PARTICULAR CASE. IF YOU ARE UNCERTAIN AS TO YOUR POSSIBLE EXEMPTION RIGHTS, YOU SHOULD CONSULT A LAWYER FOR ADVICE.

TO CLAIM ANY EXEMPTION THAT MAY BE AVAILABLE TO YOU, YOU MUST PREPARE A "CLAIM OF EXEMPTION" FORM LISTING ON IT ALL YOUR WAGES AND PERSONAL PROPERTY; HAVE THE CLAIM OF EXEMPTION NOTARIZED; AND FILE IT IN THE CLERK'S OFFICE. ALSO, IT IS YOUR RESPONSIBILITY TO MAIL OR DELIVER A COPY OF THE CLAIM OF EXEMPTION TO THE PLAINTIFF WHO HAS A JUDGMENT AGAINST YOU. YOU MUST INDICATE ON THE CLAIM OF EXEMPTION THAT YOU FILED IN THE CLERK'S OFFICE WHETHER YOU MAILED OR DELIVERED THE COPY TO THE PLAINTIFF AND THE DATE ON WHICH YOU MAILED OR DELIVERED IT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE, YOU SHOULD SEE A LAWYER.

If you file a claim of exemption, the plaintiff will have approximately ten (10) days to file a "contest" of your claim of exemption. If a contest is filed, a Court hearing will be scheduled and you will be notified of the time and place of the hearing. If the plaintiff does not file a contest, the property claimed by you as exempt will be released from the garnishment.

If you do not file a claim of exemption, your property may be turned over to the court and to the plaintiff on the judgment against you.

TO PROTECT YOUR RIGHTS, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER

NOTICE TO PLAINTIFF OF RIGHT TO CONTEST CLAIM OF EXEMPTION OF DEFENDANT

If a "Claim of Exemption" is filed in the Clerk's office and mailed or delivered to you by the defendant, you have approximately ten (10) days to file a "Contest" to the Claim of Exemption with the Clerk of the Court.

If a Contest is timely filed, a Court hearing will be scheduled within seven (7) calendar days (or on the next business day thereafter if the Court is not open on the seventh day). You and the defendant will be notified of the time and place of the hearing.

If you fail to make timely Contest of the Claim of Exemption, after fifteen (15) calendar days from the filing of such claim by the defendant, the Process of Garnishment and any writ of garnishment issued therein shall be dismissed or, where appropriate, modified to the extent necessary to give effect to the claimed exemptions.

IF YOU ARE UNCERTAIN AS TO HOW TO FILE A CONTEST TO THE CLAIM OF EXEMPTION, YOU SHOULD CONSULT A LAWYER FOR ADVICE. THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE.

PROCESS OF GARNISHMENT



ELECTRONICALLY FILED
4/27/2026 5:04 PM
07-SM-2019-900297.00
DISTRICT COURT OF
BIBB COUNTY, ALABAMA
KAYLA COONER, 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, TRUSTMARK (G001), and a copy on the defendant, LAWLEY MELISSA K (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 \$ \$995.19 (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: 4/27/2026 By: /s/ KAYLA COONER /s/ KAC
Clerk Deputy Clerk
Address: 35 COURT SQUARE EAST, CENTREVILLE, AL 35042

This process was executed by serving a copy on (Garnishee) _____
on (Date) _____. Service on Defendant _____ on (Date) _____
Served By: _____ Title: _____



ELECTRONICALLY FILED
8/13/2026 4:38 PM
07-SM-2019-900297.00
DISTRICT COURT OF
BIBB COUNTY, ALABAMA
KAYLA COONER, CLERK

IN THE DISTRICT COURT OF BIBB COUN

1ST FRANKLIN FINANCIAL
CORPORATION,
Plaintiff,

V.

LAWLEY MELISSA K,
Defendant.

)
)
)
)
)
)
)

Case No.: SM-2019-900297.00

ORDER

MOTION FOR SERVICE OF WAGE GARNISHMENT filed by 1ST FRANKLIN
FINANCIAL CORPORATION is hereby GRANTED.

DONE this 13th day of August, 2026.

/s/ CRAIG A. CARGILE
DISTRICT JUDGE

ORIGINAL

State of Alabama
Unified Judicial System
FORM C-15 Rev. 10/92

ORDER OF SERVICE AND RETURN

Case Number

07-SM-2019-900297.00

IN THE DISTRICT COURT OF BIBB COUNTY, ALABAMA

1ST FRANKLIN FINANCIAL CORPORATION (C001)

V. MELISSA K LAWLEY (D001)

Plaintiff

Defendant

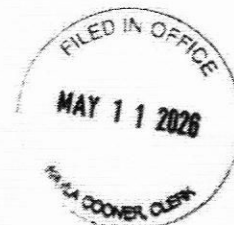
(For Juvenile cases only):

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): MELISSA K LAWLEY (D001) (G001)

at the following address: 13078 E CAPITOL DR, LAWLEY, AL 36793-0000

and make return to this court.

4/27/2026

Date

/s/ KAYLA COONER

Signature of Court Clerk

By

KAYLA COONER
35 COURT SQUARE EAST

CENTREVILLE, AL 35042

RETURN ON SERVICE

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

In The DISTRICT Court of BIBB County, Alabama to

(Name of County or Municipality)



Name: MELISSA K LAWLEY (D001) (G001)

on (Date): _____

Address: 13078 E CAPITOL DR

City/State/Zip Code: LAWLEY, AL 36793-0000

Address

of Server: _____

Signature of Server

City/State/Zip Code: _____

Type of Process Server

DEB WRIT RETURNED "NO ANSWER"
IN CIRCUIT COURT OF THE 11TH JUDGE
DATE: May 16, 2024
REASON FOR RETURNED REASONS
☒ INSUFFICIENT ADDRESS
☐ DOES NOT RESIDE AT ADDRESS
☐ NOT EMPLOYED AT LISTED LOCATION
☐ NO SUCH ADDRESS
☐ AVOIDING SERVICE
☐ RECEIVED TOO LATE FOR SERVICE
☐ UNABLE TO CONTACT
☐ OTHER
Jody Wade, Sheriff of Palm County
By: Lawley

ORIGINAL