State of Alabama Unified Judicial System Dept. of Court Mgmt.

Case Number

GARNISHEE RELEASE 9248¾A Form C-23 Rev 8/77 Number IN THE _____ COURT OF ____BALDWIN COUNTY vs. Defendant LUCRETHER C. HOLLINGS Plaintiff CLAYTON W. GARDNER (Garnishee's Name & Address) TO: VANITY FAIR MILLS The plaintiff or his attorney requests that the garnishee in the above case be released from the process of garnishment for the following reasons: Request Date Plaintiff/Attorney **NOTICE TO GARNISHEE** I certify that the garnishee in the above case is released from the process of garnishment as of <u>8-16</u>, 1979.

COURT RECORD (White)

8-16 ______, 19__79

Issue Date

P. O. DRAWER "DD"
ROBERTSDALE, ALABAMA
36567

July 29, 1977

Mrs. Eunice Blackmon, Clerk Circuit Court of Baldwin County, Alabama Bay Minette, Alabama 36507

SUBJECT: MOTION FOR JUDGEMENT

GARDNER VS HOLLINGS, ET AL

CASE ACTION NO. 9248 & A

Dear Mrs. Blackmon:

Please find enclosed a check for the amount of \$762.66 to settle the above motion for judgement. I contacted Mr. John Chason, counsel for the Plaintiff, recently and he agreed that if the above amount was tendered, then the court action would not be necessary. We will continue to withhold the above garnishment according to the court's stipulation.

If there is any further action that should be taken on our part, please inform me.

Sincerely yours,

VANITY FAIR MILLS, INC., South Baldwin Division

Rumbley, Jr.

CTR/ns

Enclosure

cc Mr. John Chason

STATE OF ALABAMA Baldwin County

Circuit Court

Personally appeared before me, Eunice B. Blackmon,	Clerk of the Circuit Court in and for Baldwin County and
State aforesaid JOHN EARLE CHASON	
who being duly sworn, on oath says, that a regularCiVil	Term
of the Ciruit Court of Baldwin County, to-wit: on the19.t	
19.71, CLAYTON W. GARDNER	
recovered a judgment againstLUCRETHER C. HOLLI	
\$3,156.07 (\$2,449.09 debt + 771.46 (6%	int. for 63 mos.) - 114.47 paid) Dollars
besides costs of suit; that said judgment remains wholly unsai	tisfied and in full force and effect: that
VANITY FAIR MILLS	
supposed to be indebted to or have effects of the said	JUCRETHER C. HOLLINGS
initspossession. or underits	
Garnishment against saidVANITY FAIR MILLS	······
is necessary to obtain satisfaction of said judgment.	$\sim 0.2 \sim \alpha$
Sworn to and subscribed this	John Coarle Chaso
day of	1
EVANCE B. BLACKWON CROUTS CO. 1	()

Vanity Fair Mills, Inc.
South Baldwin Division

P. O. DRAWER -DD"

ROBERTSDALE. ALABAMA
36567

September 14, 1976

Ms. Bunice Blackmon Clerk Circuit Court Baldwin County Bay Minette, Alabama 36507

> Re: Clayton W. Gardner vs Lucrether C. Hollings Garnishee: VF Mills, Inc. South Baldwin Division # 92488 A

Dear Ma. Blackmon:

Reference is made to above garnishment on our employee, Lucrether C. Hollings.

Garnishment was not released in the 30 days from issue date, therefore, we will honor.

If there are any questions, please advise.

Sincerely,

Vanity Fair Mills, Inc. South-Baldwin Division

R. Dolores Sturms Personnel Manager

RDS/jw

SEP 16 1976

FILED

EUNICE B. BLACKMON CIRCUIT

Vanity Dair Mills, Inc.

South Baldwin Division

P. O. DRAWER "DD" ROBERTSDALE, ALABAMA 36567

September 14, 1976

Ms. Eunice Blackmon Clerk Circuit Court Baldwin County Bay Minette, Alabama 36507

> Re: Clayton W. Gardner vs Lucrether C. Hollings Garnishee: VF Mills, Inc. South Baldwin Division

92482 A

Dear Ms. Blackmon:

Reference is made to above garnishment on our employee, Lucrether C. Hollings. Garnishment was not released in the 30 days from issue date, therefore, we will honor.

If there are any questions, please advise.

Sincerely,

Vanity Fair Mills, Inc. South Baldmin Division

Personnel Manager

RDS/jw

FILED

SEP 1 6 1976

EUNICE B. BLACKMON CLERK

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

χ CLAYTON W. GARDNER, Plaintiff, χ χ CIVIL ACTION NO. 9248 1/2A vs. χ LUCRETHER C. HOLLINGS, Υ Defendant, χ VANITY FAIR MILLS, χ Garnishee. χ

MOTION FOR JUDGMENT

Comes now the Plaintiff in the above matter and moves the Court for a judgment against the Garnishee, Vanity Fair Mills, and shows unto the Court the following:

- 1. That on and to-wit the 9th day of August, 1976, the Garnishee was served with a notice and writ of garnishment in the above styled cause.
- 2. That on and to-wit the 16th day of September, 1976, the Garnishee filed an answer in the cause admitting indebtedness and stating "We will honor."
- 3. That on and to-wit May 24, 1977, the Plaintiff was advised by the Garnishee that they had not withheld any funds from the Defendant since they had elected to treat this as a mini-code garnishment under the Alabama statute rather than as a garnishment on a judgment under the Federal Wage Garnishment Law as required and as stated by the writ of garnishment served on the Garnishee.
- 4. That at all times pertinent to this proceeding, the Defendant has been employed by the Garnishee at a salary of \$3.20 per hour, working 40 hours per week.

WHEREFORE, the Plaintiff moves the Court for a judgment against the Garnishee for the amount which should properly have been withheld by the Garnishee in this cause.

John Earle Chason As Attorney for Plaintiff

OF COUNSEL:

CHASON & CHASON Attorneys At Law P. O. Box 120 Bay Minette, Alabama 36507

CERTIFICATE OF SERVICE

I, John Earle Chason, attorney for the Plaintiff in the above styled action, hereby certify that on the 27 day of June, 1977, I served the foregoing Motion For Judgment upon Lucrether C. Hollings, Defendant, and Vanity Fair Mills, Garnishee, by depositing a copy of same in the United States mails, postpaid, addressed to them at Vanity Fair Mills, Robertsdale, Alabama, their last known address.

John Earle Chason

P. O. Box 120

Bay Minette, Alabama 36507

STATE	OF	ALAB	AMA
Ba	ldwin	County	1

то	UCRET	HER C.	HOLLINGS	**************************************		«	Defendant.	<u>.</u>	*
YOU	J ARE	HEREBY	NOTIFIED	that a	Writ of	Garnishm	ent has been iss	sued in the ca	se of
С	LAYTO	NW.G	ARDNER					Plaintiff	:
versus	UCRET	HER C.	HOLLINGS	:	•			Defendant	
مهمر		Circuit C		in Coun	ty. Alab	ama. Law	Side, in which	•••••	
has . been	named :	as Garnis	hee		yess and the second sec			:	············
IN V				hereunto	set my	hand and	l affixed my sea	l on this the	6
		-		J	J SLSA	dl.	G Blac Clerk of th	LINO ne Circuit Con	urt.

THOMAS H. BENTON

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Some a gray of the William Charles

On Service on Landale C., Delling

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Sheriff Claimed 50 Miles At Fourteen Cents Per Mile Total 37.00 IHOMAS H. BENTON, SHERIFE

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

•

TO

Lucrether C. Hollings

c/o Vanity Fair Mills

Robertsdale, AL

GLAYTON W. GARDNER

Plaintiff....

VS.

LUCRETHER C. HOLLINGS

Defendant....

THE	STATE OF ALABA	AMA,
	BALDWIN COUNTY	

i	CIRCUIT COURT, BALDWIN COUNTY		
>	AugustTERM,	19	<u>76</u>

THE STATE OF ALABAMA,	<u>,</u>	711 <i>4</i> 11 <i>4</i> +	76
BALDWIN COUNTY)	Augusc	TERM, 19 <u>76</u>
To any Sheriff of the State of Alabama, Gr	eetings:		• 9
WHEREAS, on the 19th day of	_		19 71 in the Circuit
•			
Court of Baldwin County, being a regular d	lay of said terr		
And the restriction of the second sec		a programme in the control of the co	Plaintiff
recovered judgment against		Lucrether (. Hollings
			Defendant
for the sum of \$3106.07 (\$2449.0			
and affidavit having been made by	hn Earle in the house service in the house i	Chason to obtain satisfaction	of such Judgment, and that
Vanity Fair Mills	114		
has or believed to have in their possession	on, or under t	their control money of	or effects belonging to said
defendant Lucrether C. Holl defendant or to be liable to them, or to or on a contract for the payment of money or which is payable in personal property.	ne of them on	a contract for the de	elivery of personal property,
You Are Therefore Hereby Commande	d to Summon	Vanity Fair	
	MITTER PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERT		
•	Section 1		
	34 0- 40	D 11	
to file an answer in duplicate to the Circ the city of Bay Minette, within 30 days from or at any time intervening the time of servindebted to said defendant and whether is contract then existing, and whether by a conforthe delivery of personal property, or followery of personal property, or which is pay	om the service ving the garnis it/they will no ontract then ex or the paymen	of the garnishment, ashment, and making to be indebted in future tisting it/is, or they/a t of money which ma	or at the making of answer, the answer it/they was/were are to said defendant by a re, liable to said defendants by be discharged by the de-
possession or under their control money or	effects belongi	ing to the defendant _	Lucrether C.
Hollings	. •		
YOU ARE FURTHER COMMANDS SALARY, OR OTHER COMPENSATION DUE TO SAID DEFENDANT, DURING	N, SUBJECT	TO GARNISHMENT	r, DUE OR TO BECOME
THE SUM OF \$ 3,106.07 WHEN SAID SUM IS ACCUMULATED : INTO COURT IMMEDIATELY, AND BEFORE SAID SUM IS ACCUMULATED TERMINATION AND PAY INTO COUR WITHHELD.	SAID GARNI IF EMPLOY TED, THEN	SHEE IS REQUIRED MENT OF DEFEN GARNISHEE IS I	DANT IS TERMINATED REQUIRED TO REPORT
Witness my hand	6	1976	
	6	, 197 <u>/</u>	A
		- //	01 W

If Garnishee fails to file sworn answer in Circuit Clerk's Office within 30 days from date Writ is received the Plaintiff can proceed for Judgment against Garnishee for amount of Plaintiff's claim plus Court Costs.

: L :	25
	AUG () 6 1976 Received19
9248½A	THOMAS H. BENTON
CASE NUMBER	SHERIFF SHERIFF
Circuit COURT	RETURN
Baldwin COUNTY, ALABAMA	
	This Writ Executed by serving copy on
	Manita Tair Mills
	m. W. l. 120 Pf
CLAYTON W. GARDNER Plaintiff	misselote Studma
· ·	DATE (2119, 9 1976
VS.	10 1-100
LUCRETHER C. HOLLINGS Defendant	Chimas Pt, BentonsHERIFF
,	BV Chillippie D.S.
VANITY FAIR MILLS Garnishee	BY THE D.S.
Robertsdale, Alabama	
Address Address	The space below is provided for Garnishee to
	use for keeping a record.
GARNISHMENT ON	
JUDGMENT	
\$Judgment	
\$ Court Costs	
Miles	Was Claimed 50 Miles At
\$ Mileage	TOP
\$TOTAL	Arteen Conta Por Mile Total \$
	TAMAS & BENTON, SHERIFE
	D. C. HULLEK

	ANSWER OF GARNISHEE
9248½A CASE NUMBER	1. DEFENDANT EMPLOYED BY GARNISHEE when Writ received, or when making this answer, or during intervening time, and WILL WITH-HOLD from the salary, wages, or compensation, as required, and pay total into Court.
	 Defendant NOT EMPLOYED — Garnishee NOT INDEBTED when Writ received, or when making this answer, or during intervening time, and have not in possession or control any be-
CLAYTON W. GARDNER Plaintiff	longings of said Defendant.
VS.	
LUCRETHER C. HOLLINGS	3. Defendant is NOT SUBJECT to garnishment under the provisions of Section 11 of the Alabama Consumer Credit Act.
Defendant	
CircuitCOURT	Sworn to and subscribed before me, on the
Baldwin County, Alabama	day of 19
POSCATE & SOW, BIRVINGHAV W	
	NOTARY PUBLIC

⇒outh Daldwin Divisio

P. O. DRAWER "DD"

ROBERTSDALE, ALABAMA 36567

June 30, 1977

Mrs. Eunice Blackmon, Clerk Circuit Court of Baldwin County, Alabama Bay Minette, Alabama 36507

REF: CIVIL ACTION NO. 9248 1/2 A GARDNER VS HOLLINGS, ET AL

Dear Mrs. Blackmon:

In response to the motion for judgement filed in the above case, the following is submitted:

- (1) On August 9, 1976, we were served with writ of garnishment in above case.
- (2) On September 16, 1976, we did serve notice we would honor.
- (3) We did withhold according to Alabama Mini-Code up and until June 6, 1977, and since such time have withheld according to Federal Law.
- (4) The motion for judgement is in error concerning earnings of defendant. Attached herewith is a schedule of earnings since September 9, 1976. We have calculated the amount of garnishment that should have been withheld to be \$762.66. The calculations are according to the Federal Law concerning garnishments. The salary of each pay period is obtained from confidential corporate records and can be produced if the court so desires.

Please inform us of any decisions, actions, or further judgements of the court and we will abide. Also, inform us of any information that may be required of us.

Sincerely,

VANITY FAIR MILLS, INC., South Baldwin Division _

Rumbley

Plant/Manager

FILED

JUL 1-1977

CTR/ns

Attached

EUNICE B. BLACKMON CIRCUIT

Lou Hollings, Clock No. 5015, Rt. 1 Box 63, Daphne, Alabama 36526

Date	Gross Earnings	Fed WH	FICA	SUI_	State	<u>Net</u>	Garnishment
9-11-76	249.29	30.68	14.58	1.25	4.07	198.62	49.66
9-25-76	181.21	17.08	10.60	.91	2.07	150.55	12.55
10-8-76	233.80	27.60	13.68	1.17	3.52	187.83	46.96
10-23-76	245.51	29.94	14.36	1.23	3.94	196.04	49.01
11-6-76	196.86	20.21	11.52	.98	2.42	161.73	23.73
11-20-76	271.12	35.40	15.86	1.36	4.85	213.65	53.41
12-4-76	207.28	22.30	12.13	.48	2.67	169.70	31.70
12-18-76	230.44	26.93	13.48		3.40	186.63	46.65
1-1-77	174.11	15.66	10.19	.87	1.93	145.46	7.46
1-15-77	247.66	30.37	14.49	1.24	4.02	197.54	49.39
1-28-77	245.12	29.86	14.34	1.23	3.93	195.76	48.94
2-12-77	234.85	27.81	13.74	1.17	3.56	188.57	47.14
2-26-77	264.59	33.90	15.48	1.32	4.62	209.27	52.31
3-12-77	245.22	29.88	14.35	1.23	3.93	195.83	48.96
3-26-77	222.04	25.25	12.99	1.11	3.10	179.59	41.59
4-9-77	245.83	30.01	14.38	1.23	3.95	196.26	49.07
4-23-77	258.26	32.49	15.11	1.29	4.40	204.97	51.24
5-7-77	259.20	32.68	15.16	1.30	4.43	205.63	51.41
5-21-77	165.75	13.99	9.70	.83	1.75	139.48	<u>l.48</u>
							762.66
These deduction	ns sent to	Mrs. Blac	kmon 6-	29-77			
6-4-77	270.40	30.05	15.82	1.35	5.06	218.12	54.53
6-18-77	264.83	29.05	15.49	1.32	4.85	214.12	53.53

NOTICE ON MOTIONS

CLAYTON W. GARDNER		·		IN THE CIRCUIT COURT			
vs:		PLAIN	TIFF		OF BALDWIN	COUNTY,	ALABAMA
LUCRETHE	R C. HOLLINGS	•			CASE NO	9248½A	
GARNISHE	E: VANITY FA	DEFEN	DANT	•			•
•				,		;	. ,
THE _	Motio	n for Judgment	···	· ·	was on	the	3rd
day of	August	19 77	Dismissed	; but not t	he Garnishme	nt	

EUNICE B. BLACKMON CIRCUIT CLERK OF BALDWIN GOUNTY, ALABAMA

cc: Lucrether C. Hollings Vanity Fair Mills

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAYTON W. GARDNER,	χ
Plaintiff,	X
	X CTYLL ACMION NO. 9249 1/2 A
vs.	CIVIL ACTION NO. 9248 1/2 A
LUCRETHER C. HOLLINGS,	· X
Defendant,	X
	X
VANITY FAIR MILLS,	X
Garnishee.	χ

MOTION

Comes now the Plaintiff in the above styled cause and moves the Court for an order to the Clerk for distribution of the funds in the hands of the Clerk received from the Garnishee in the above styled cause and shows unto the Court the following:

- 1. That on and, to-wit, the 9th day of August, 1976, Garnishee was served with notice of writ in garnishment in the above styled cause.
- 2. That on and, to-wit, the 16th day of September, 1976, the Garnishee answered the cause admitting the indebtedness.
- 3. That at the present time there is an amount in excess of Seven Hundred Fifty Dollars (\$750.00) in the hands of the Clerk collected from the Garnishee on a total garnishment to be collected in the amount of over Three Thousand Dollars (\$3,000.00).
- 4. That the Plaintiff requests payment of the sum presently in the hands of the Clerk so that the Plaintiff not be required to lose interest on this money pending the collection of the entire amount due.

Done this $\frac{7}{\sqrt{100}}$ day of September, 1977.

John Earle Chason Attorney for Plaintiff

ORDER

The above and foregoing Motion having been filed and brought to the attention of the Court and the Court being of the opinion that the Plaintiff is due the relief requested in said Motion, it is, therefore, hereby

ORDERED, ADJUDGED and DECREED that the Clerk pay over to the attorney for the Plaintiff all sums in her hands collected from the Garnishee in the above styled cause less any unpaid Court costs due.

Done this day of September, 1977.

ircuit Judge



EUNICE B. BLACKMON CLERK

P. O. DRAWER "DD"

ROBERTSDALE, ALABAMA

36567

February 15, 1978

Mrs. Eunice Blackmon Clerk, Circuit Court Baldwin County Bay Minette, Alabama

36507

Dear Mrs. Blackmon:

Please find enclosed a check in the amount of \$13.36 to cover the following garnishment:

Rita Brock
Gross Wages 298.70
Less Fed WH 29.96
Less FICA 18.07
Less SUI 1.49
Less St WH 5.82
Net Wages 298.70
Amt Prot 230.00
Amt Remit. 13.36

Another employee under a garnishment, Lou Hollings, has been on lack of work status since January 3, 1978.

If there are any questions, please advise.

Sincerely,

VANITY FAIR MILLS, INC., South Baldwin Division

R. Dolores Sturma Personnel Manager

ns

Enclosure

g. E. Chaser- Atte 92481/2A

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P. O. DRAWER "DD"

ROBERTSDALE, ALABAMA

36567

February 7, 1979

Mr. John E. Chason Chason & Chason Attorneys at Law P.O. Ecx 120 Eay Minette, AL 36507

Re: Civil Action No. 9248-2A
Gardner v. Hollings, et al.
\$3138.07

Dear Mr. Chason:

In reference to your letter of 2/5/79 concerning the above matter.

Mrs. Hollings has been an employee with our firm since 9/10/75. She has been off some because of lack of work - but has not been terminated at anytime.

Below is a breakdown of monies we have submitted to Mrs. Blackmon concerning this garnishment:

Amount Submitted	Pay Period	Date Sent
\$762.66 54.53 53.53 54.78 55.08 51.19 55.31 55.66 57.25 56.96 60.07 58.51 55.42	9/11/76 - 5/21/77 6/4/77 6/18/77 7/2/77 7/30/77 8/13/77 8/27/77 9/10/77 9/24/77 10/8/77 11/5/77	7/29/77 6/29/77 6/29/77 8/5/77 8/5/77 9/7/77 9/21/77 9/27/77 10/25/77 12/13/77 12/13/77
54.18	12/19/77	1/19/78

On lay-off from January 1978 - April 1978.

5/6/78	5/30/78
5/20/78	6/7/78
6/3/78	`6/23/ <u>7</u> 8
6/17/78	7/24/78
6/30/78	7/31/78
7/29/78	8/30/78
ε/12/78	8/30/78
8/26/78	10/4/78
9/9/78	10/4/78
9/23/78	11/15/78
	11/15/78
	11/15/78
	1/9/79
	1/9/79
	1/9/79
12/16/78	1/31/79
	5/20/78 6/3/78 6/17/78 6/30/78 7/29/78 8/12/78 8/26/78 9/9/78

Lay-off from 12/18/78 - 1/12/79.

Total Deducted

\$2457.22

Our records show the balance of this garnishment is \$680.85.

I am sending a copy of this letter to Mrs. Blackmon - and if her records do not agree with this - I feel like she will contact us.

If more information is needed, please feel free to contact me.

Sincerely.

R. Dolores Sturma

Personnel Manager

cc: Mrs. Eunice Blackmon

8.33 10.33 1

Vanity Fair Mills, Inc.

South Baldwin Division

P. O. DRAWER "DD"

ROBERTSDALE, ALABAMA 36567

....

December 13, 1977

97.47

Mrs. Eunice Blackmon Clerk, Circuit Court Baldwin County

Bay Minette, Alabama

36507

Dear Mrs. Blackmon:

Please find enclosed checks totaling \$211.71 to cover the following garnishments:

Rita Brock Pay Period 11-5-77	Rita Brock Pay Period 11-19-77
Gross Wages 302.75	Gross Wages 304.04
Less Fed WH 30.69 Less FICA 17.71	Less Fed WH 30.92 Less FICA 17.79
Less St WH <u>5.96</u> Net Wages 248.39	Less St $\frac{6.01}{249.32}$
Amt Prot 230.00	Amt Prot 230.00
Amt Remit 18.39	Amt Remit 19.32
Tou Hollings	Lou Hollings

Lou Hollings
Pay Period 10-22-77
Gross Wages 299.14
Less Fed WH 35.22
Less FICA 17.50
Less St 6.12
Net Wages 240.30
230.00
Lou Hollings
Pay Period 11-5-77
Gross Wages 290.4
Less Fed WH 33.6
Less FICA 16.9
Less St 5.8
Net Wages 234.0

Should have been 50.07 Should have been Difference Difference

For two pay periods IBM only deducted under State Garnishment Should have been Fed. Employee made up difference

54.47 49.77 104.24

19.77 104.07 37.71

Mrs. Eunice Blackmon December 13, 1977 Page 2

Lou Hollings
Pay Period 11-19-77
Gross Wages 273.48
Less Fed WH 30.60
Less FICA 16.00
Less St 5.17
Net Wages 25%

If there are any questions, please advise.

Sincerely,

VANITY FAIR MILLS, INC., South Baldwin Division

R. Dolores Sturma Personnel Manager

ns

Enclosures
