



ELECTRONICALLY FILED  
1/28/2020 1:59 AM  
58-DV-2020-900106.00  
CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

State of Alabama  
Unified Judicial System  
Form ARCiv-93 Rev.5/99

**COVER SHEET**  
**DISTRICT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Case No: 58-DV-2020-900106.00  
Date of Filing: 01/28/2020  
Judge Code:

**GENERAL INFORMATION**

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA**  
**PORTFOLIO RECOVERY ASSOCIATES, LLC v. IRMA N CHAIDEZ**

**First Plaintiff:**  Business  Individual  Government  Other  
**First Defendant:**  Business  Individual  Government  Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

- CTEM-Contempt of Court
- CONT-Contract/Ejectment/Writ of Seizure
- AUTO-Autodamages/Subrogation/Promissory Note
- DISP-Non-Account Dispute: Roommate/Neighbor/Animal
- EVIC-Eviction
- GDAM-General Damages
- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- RECP-Recover Property
- DVXX-Miscellaneous District Civil Case
- TOXX - Other: \_\_\_\_\_

**ORIGIN:** F  INITIAL FILING  REMANDED  
O  OTHER

**RELIEF REQUESTED:**  MONETARY AWARD REQUESTED  NO MONETARY AWARD REQUESTED

**ATTORNEY CODE:**

PAT069

1/28/2020 1:59:57 AM

/s/ JASON BRADY PATRICK

Date

Signature of Attorney/Party filing this form

**MEDIATION REQUESTED:**  YES  NO  UNDECIDED



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CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC

PLAINTIFF

vs.

CASE NO.

IRMA N CHAIDEZ

DEFENDANT(S)

**COMPLAINT**

COMES NOW, PORTFOLIO RECOVERY ASSOCIATES, LLC, who files this Complaint against IRMA N CHAIDEZ stating the following:

**COUNT I**  
**Open Account**

1. Defendant(s) opened a credit card account with CITIBANK, N.A. (SEARS) in the Defendant's(s') name under its account number ending in \*\*\*\*\*8311.
2. Plaintiff is the assignee of the credit card account.
3. Defendant(s) failed to pay the balance of the account when due. As such, Defendant(s) owe(s) Plaintiff \$7,381.68 for the balance due on the credit card account.
4. Plaintiff demands judgment against Defendant(s) for the sum of \$7,381.68 plus court costs.

**COUNT II**  
**Account Stated**

1. Defendant(s) opened a credit card account with CITIBANK, N.A. (SEARS) in the Defendant's(s') name under its account number ending in \*\*\*\*\*8311.
2. Plaintiff claims of Defendant(s) the principal sum of \$7,381.68 due on account stated.

3. Plaintiff is the assignee of the credit card . As such, Plaintiff demands judgment against Defendant for the sum of \$7,381.68 plus court costs.

**WHEREFORE**, Plaintiff demands judgment against Defendant(s) for the sum of \$7,381.68 and all costs of court.

Respectfully Submitted,

/s/ Rory M. Gallagher

WILLIAM M. AVERETT, JR. (AVE013)

JASON B. PATRICK (PAT069)

LAURA T.D. SIMS (SIM101)

RORY M. GALLAGHER (GAL043)

CHARLES E. BYROM (BYR027)

MALEA A. HIGDON (8689R34H)

Attorney for Plaintiff

RAUSCH STURM

PO Box 312277

Enterprise, AL 36331

Toll Free: (877) 215-2552 TTY: 711

Fax: Fax: (877) 396-4464

LawfirmAL@rsieh.com



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SHELBY COUNTY, ALABAMA

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sears  
MastercardServicio al Cliente  
searscard.com  
Consultas de  
1-800-659-8488**Resumen de la Actividad de la Cuenta**

Balance/Saldo Anterior	\$9,147.16
Pagos	-\$0.00
Otros Créditos	-\$0.00
Compras	+\$0.00
Adelantos en Efectivo	+\$0.00
<b>Cargos Cobrados</b>	<b>+\$37.00</b>
<b>Intereses Cobrados</b>	<b>+\$197.52</b>
Nuevo Balance/Saldo	\$9,381.68
<b>Monto Vencido</b>	<b>\$2,040.00</b>

Límite de Crédito	\$0.00
Crédito Disponible	\$0.00
Límite de Adelantos en Efectivo	\$0.00
Límite de Efectivo Disponible	\$0.00
Monto que Excede el Límite de Crédito	\$1,581.68
Fecha de Cierre del Estado de Cuenta	04/13/2017
Fecha de Cierre del Siguiete Estado de Cuenta	05/14/2017
Días incluidos en el Ciclo de Facturación	30

**In.**

Nuevo Balance/Saldo	\$9,381.68
<b>Pago Mínimo Adeudado</b>	<b>\$3,950.68</b>

Fecha de Vencimiento de Pago Mayo 10, 2017

**Advertencia por Retraso de Pago:** Si no recibimos su pago mínimo en la fecha mencionada arriba, podría tener que pagar un cargo por demora de hasta \$37.**Alerta de Pago Mínimo:** Si efectúa únicamente el pago mínimo en cada período, pagará más en intereses y tardará más tiempo en cancelar su balance/saldo. Por ejemplo:

Si no realiza cargos adicionales utilizando esta tarjeta y cada mes paga:	Cancelará el balance/saldo indicado en este estado de cuenta en un lapso aproximado de:	Y terminará pagando un total estimado de:
Únicamente el pago mínimo	22 años	\$23,963
\$378	3 años	\$13,606 (Ahorro = \$9,757)

Si desea obtener información sobre los servicios de asesoramiento de crédito, llame al 1-877-397-8166.

Por favor, tenga en cuenta que si recibimos su pago por teléfono o en línea de 5 p.m. a la media noche, Hora del Este, del último día de su período de facturación, su pago no se verá reflejado hasta su próximo estado de cuenta.

Por favor actualice su número de teléfono incluido su número de teléfono celular al dorso del cupón de pago

**TRANSACCIONES**

Fecha de Trans	Descripción	Número de Referencia	Monto
04/10	CARGO POR DEMORA		\$ 37.00
<b>TOTAL DE CARGOS EN ESTE PERÍODO</b>			<b>\$ 37.00</b>

**CARGOS**

E-MS 3

POR FAVOR, CONSULTE LA INFORMACIÓN IMPORTANTE QUE APARECE EN LA PÁGINA 2

Página 1 de 4

Este cuenta es emitida por Citibank, N.A.

➔ Por favor prepare su parte de pago y envíela con su pago para asegurarse de que éste de acredite correctamente. Conserve la parte de arriba para sus archivos. ➔

sears®

PO BOX 3066  
SIOUX FALLS, SD 57117-6266

Su Número de Cuenta es [REDACTED] 8311



Fecha de Vencimiento del Pago Mayo 10, 2017

Balance/Saldo \$9,381.68

Monto Vencido \$2,040.00

Pago Mínimo Adeudado \$3,950.68

Monto Incluido

El Monto Vencido está incluido en el Pago Mínimo Adeudado.  
Por favor escriba cambios de dirección en el reverso.  
Haga Sus Cheques a Nombre de

**Estado de Cuenta Adjunto**IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM, AL 35242-3605SEARS CREDIT CARDS  
PO BOX 78051  
PHOENIX, AZ 85062-8051



Cuenta: \*\*\*\* \* 8311

**TRANSACCIONES** (continuado)

Fecha de Trans	Descripción	Numero de Referencia	Monto
<b>INTERESES CARGADOS</b>			
04/19	INTERESES CARGADOS SOBRE COMPRAS		\$ 197.52
TOTAL DE INTERESES EN ESTE PERIODO			\$ 197.52

**Totales de 2017 Hasta la Fecha**

Total de Cargos Aplicados en 2017	\$148.00
Total de Intereses Cargados en 2017	\$755.61

**DETALLE DE LA ACTIVIDAD Y DE LAS PROMOCIONES**

Monto de Trans. de la Promoción Original	Fecha de Trans. de la Promoción	Balanza/Saldo Anterior	Pagos y Otros Créditos	Compras		Intereses Cobrados	Nuevo Balance/Saldo	Pago Mínimo Adjudicado de la Promoción	Cargos por Intereses Diferidos	Fecha de Vencimiento de la Promoción
				Adelantos en Efectivo	Otros Débitos					
<b>COMPRAS</b>										
REGULARES		\$9,147.16		\$37.00		\$197.52	\$9,381.68			
<b>ADELANTOS EN EFECTIVO</b>										
REGULARES										
<b>TOTAL</b>		<b>\$9,147.16</b>	<b>\$0.00</b>	<b>\$37.00</b>		<b>\$197.52</b>	<b>\$9,381.68</b>	<b>\$0.00</b>	<b>\$0.00</b>	

**CÁLCULO DEL CARGO POR INTERESES**

Su Tasa de Porcentaje Anual (APR) es la tasa de interés anual en su cuenta.

Tipo de Balance/Saldo	Tasa de Porcentaje Anual (APR)	Balanza/Saldo Sujeto a Tasa de Interés	Cargo por Intereses
<b>COMPRAS</b>			
REGULARES	25.99% (D) (V)	\$9,247.15	\$197.52
<b>ADELANTOS</b>			
REGULARES	27.90% (D) (V)	\$0.00	\$0.00

(V) = Tasa Variable (D) = Fijo

**Disputas sobre información de crédito.** Si usted considera que hemos suministrado información incorrecta a una compañía de informes de crédito, usted debe a) hacer reclamo al Servicio al Cliente que se indica en la Pág. 141.

**Reporte inmediatamente una tarjeta perdida o robada.** El número de número de Carta de Crédito es la Carta de Crédito que aparece en la Pág. 141.

**Qué hacer si usted encuentra un error en su estado de cuenta**

Si usted encuentra que existe un error en su estado de cuenta, envíenos a la dirección de correo tal como aparece en el folletito que acompaña a su número de la Página de sus cobros de Cartera.

En su caso, envíenos también la siguiente información:

- Información de contacto. Su nombre y número de cuenta.
- Monto pagado. El monto de dinero que usted pagó por el error.
- Descripción del problema. Si usted considera que existe un error en su factura, déznos a que usted considere errónea y explique por qué usted considera que se trató de un error.

Usado de sus comisiones será como sigue:

- Si en un 30o de 60 días a partir de la fecha en que el error se dio cuenta en el momento de su compra.
- Cuando el error se descubra antes de la fecha en que se pagó el monto pagado o cuando el error se descubra si usted desea suspender el pago del monto que usted debió pagar.

Deberá notificarnos lo más pronto posible en caso de un error. Podrá llamarnos por teléfono, pero en ocasiones no tendremos la capacidad de investigar más. El posible error de usted nos permitirá que no lo pagaré el monto de su error.

**Qué sucederá luego de que recibamos su carta**

**Cuando recibamos su carta, deberemos hacer dos cosas:**

1. En un plazo de 30 días a partir de la recepción de su carta, deberemos informarle que hemos recibido su carta, resolver el problema que usted nos presentó y enviarle una copia.
2. En un plazo de 60 días a partir de la recepción de su carta, deberemos cancelar el error que usted pagó y considerar que el monto de su compra es correcto.

**Mientras investigamos si se ha producido o no un error:**

- No podremos tomar ninguna acción en contra de la compañía o repetirá a usted cuando usted nos presente algún reclamo.
- El importe de su estado de cuenta de información de su estado de cuenta y podrá estar correcto a la hora de recibir su carta de información.
- Si usted está en desacuerdo con la información de pago en su estado de cuenta, será responsable por el monto de su deuda.
- Podremos emitir un cheque para pagar el monto de su estado de cuenta.

**Una vez que finalizamos nuestra investigación, sucederá una de dos cosas:**

- Si usted considera que usted no debe pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

5. Si usted considera que no se ha producido un error, usted tendrá a su favor los datos de su estado de cuenta. Usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

Si usted recibe más de una carta de información de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

Si no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

**Sus derechos si usted no está satisfecho con sus compras con tarjeta de crédito**

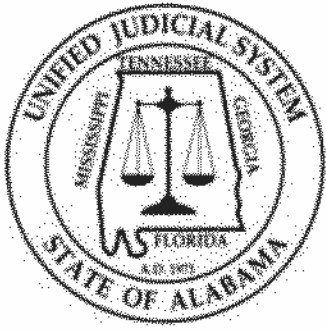
Si usted no está satisfecho con los productos o servicios que nos compró con su tarjeta de crédito, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

1. Para solicitar el reembolso de un artículo comprado con tarjeta de crédito, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.
2. La compra deberá haber sido utilizada en el estado de la ley de reembolso de tarjetas de crédito. No se aplican los reembolsos de tarjetas de crédito en el extranjero. Si usted no está satisfecho con los productos o servicios que nos compró con su tarjeta de crédito, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

Usted deberá pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

3. Usted no deberá tener ninguna responsabilidad de la compra. Si usted no está satisfecho con la compra, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.

Si usted no está satisfecho con la compra, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta. Si usted no puede pagar el monto de su estado de cuenta, usted debe pagar el monto de su estado de cuenta.



## AlaFile E-Notice

58-DV-2020-900106.00

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

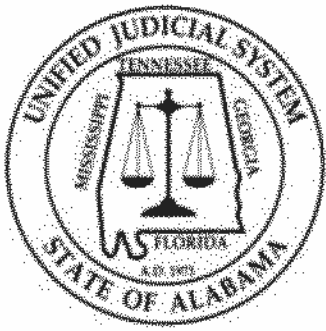
The following complaint was FILED on 1/28/2020 2:00:03 AM

Notice Date: 1/28/2020 2:00:03 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov





## AlaFile E-Notice

58-DV-2020-900106.00

To: IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

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mary.harris@alacourt.gov

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	<b>SUMMONS</b> <b>- CIVIL -</b>	<b>Court Case Number</b> <b>58-DV-2020-900106.00</b>
<b>IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA</b> <b>PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ</b>		
<b>NOTICE TO:</b> IRMA N CHAIDEZ, 5119 LEE STREET DR, BIRMINGHAM, AL 35242 <div style="text-align: center; border-top: 1px solid black; margin-top: 5px;"> <i>(Name and Address of Defendant)</i> </div>		
THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), JASON BRADY PATRICK <div style="text-align: center; border-top: 1px solid black; margin-top: 5px;"> <i>(Name(s) of Attorney(s))</i> </div>		
WHOSE ADDRESS(ES) IS/ARE: PO Box 312277, Enterprise, AL 36331 <div style="text-align: center; border-top: 1px solid black; margin-top: 5px;"> <i>(Address(es) of Plaintiff(s) or Attorney(s))</i> </div>		
THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 14 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.		
<b>TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:</b>		
<input checked="" type="checkbox"/> You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.		
<input type="checkbox"/> Service by certified mail of this Summons is initiated upon the written request of _____ pursuant to the Alabama Rules of the Civil Procedure. <span style="float: right;"><i>(Name(s))</i></span>		
_____ <i>(Date)</i>	/s/ MARY HARRIS <i>(Signature of Clerk)</i>	By: _____ <i>(Name)</i>
<input type="checkbox"/> Certified Mail is hereby requested. _____ <div style="text-align: center;"><i>(Plaintiff's/Attorney's Signature)</i></div>		
<b>RETURN ON SERVICE</b>		
<input type="checkbox"/> Return receipt of certified mail received in this office on _____ <div style="text-align: right;"><i>(Date)</i></div>		
<input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____ _____ in _____ County, <div style="display: flex; justify-content: space-between;"><span><i>(Name of Person Served)</i></span><span><i>(Name of County)</i></span></div>		
Alabama on _____ <div style="text-align: center;"><i>(Date)</i></div>		
_____ <i>(Type of Process Server)</i>	_____ <i>(Server's Signature)</i>	_____ <i>(Address of Server)</i>
_____ <i>(Server's Printed Name)</i>	_____ <i>(Phone Number of Server)</i>	



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CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

State of Alabama  
Unified Judicial System  
Form C-34 Rev. 4/2017

**SUMMONS**  
**- CIVIL -**

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA**  
**PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ**

**NOTICE TO:** IRMA N CHAIDEZ, 5119 LEE STREET DR, BIRMINGHAM, AL 35242

*(Name and Address of Defendant)*

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),  
JASON BRADY PATRICK

*(Name(s) of Attorney(s))*

WHOSE ADDRESS(ES) IS/ARE: PO Box 312277, Enterprise, AL 36331

*(Address(es) of Plaintiff(s) or Attorney(s))*

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 14 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

Service by certified mail of this Summons is initiated upon the written request of \_\_\_\_\_  
pursuant to the Alabama Rules of the Civil Procedure. *(Name(s))*

01/28/2020

*(Date)*

/s/ MARY HARRIS

*(Signature of Clerk)*

By: \_\_\_\_\_

*(Name)*

Certified Mail is hereby requested.

*(Plaintiff's/Attorney's Signature)*

**RETURN ON SERVICE**

Return receipt of certified mail received in this office on \_\_\_\_\_

*(Date)*

I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_

JARVES CHAIDEZ (BROTHER / CO-RESIDENT) in \_\_\_\_\_

*(Name of Person Served)*

SHELBY

*(Name of County)*

County,

Alabama on 2/2/2020

*(Date)*

PO BOX 26675

*(Address of Server)*

SPS  
*(Type of Process Server)*

/s/   
*(Server's Signature)*

BHAM, AL 35260

CHRISTOPHER MANNING

*(Server's Printed Name)*

205-978-7188

*(Phone Number of Server)*

**58-DV-2020-900106.00**

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ

C001 - PORTFOLIO RECOVERY ASSOCIATES, LLC

*(Plaintiff)*

v.

D001 - IRMA N CHAIDEZ

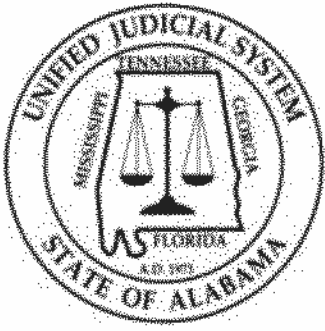
*(Defendant)*



**SERVICE RETURN COPY**



\*0049317354\*



## AlaFile E-Notice

58-DV-2020-900106.00

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

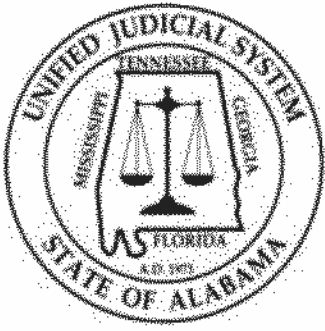
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
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The following RETURN ON SERVICE - SERVED was FILED on 2/4/2020 11:03:17 AM

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CIRCUIT COURT CLERK  
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205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

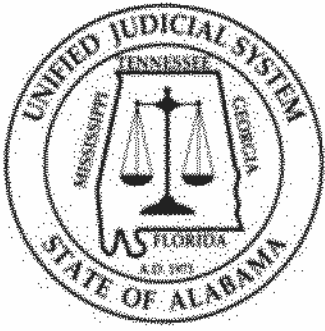
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58-DV-2020-900106.00

The following RETURN ON SERVICE - SERVED was FILED on 2/4/2020 11:03:17 AM

Notice Date: 2/4/2020 11:03:17 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following RETURN ON SERVICE - SERVED was FILED on 2/4/2020 11:03:17 AM

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State of Alabama  
Unified Judicial System  
Form C-34 Rev. 4/2017

**SUMMONS  
- CIVIL -**

C  
E

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA  
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ**

**NOTICE TO:** IRMA N CHAIDEZ, 5119 LEE STREET DR, BIRMINGHAM, AL 35242

*(Name and Address of Defendant)*

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), JASON BRADY PATRICK

*(Name(s) of Attorney(s))*

WHOSE ADDRESS(ES) IS/ARE: PO Box 312277, Enterprise, AL 36331

*(Address(es) of Plaintiff(s) or Attorney(s))*

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 14 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

Service by certified mail of this Summons is initiated upon the written request of \_\_\_\_\_ *(Name(s))* pursuant to the Alabama Rules of the Civil Procedure.

01/28/2020

*(Date)*

/s/ MARY HARRIS

*(Signature of Clerk)*

By: \_\_\_\_\_

*(Name)*

Certified Mail is hereby requested.

*(Plaintiff's/Attorney's Signature)*

**RETURN ON SERVICE**

Return receipt of certified mail received in this office on \_\_\_\_\_ *(Date)*

I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_

JARVES CHAIDEZ (BROTHER / CO-RESIDENT) in SHELBY County, Alabama  
*(Name of Person Served)* *(Name of County)*

RULE 4C OF A.R.C.P.

Alabama on 2/2/2020  
*(Date)*

PO BOX 26675

*(Address of Server)*

SPS  
*(Type of Process Server)*

/s/   
*(Server's Signature)*

BHAM, AL 35260

CHRISTOPHER MANNING

*(Server's Printed Name)*

205-978-7188

*(Phone Number of Server)*

**58-DV-2020-900106.00**

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ

C001 - PORTFOLIO RECOVERY ASSOCIATES, LLC

*(Plaintiff)*

v.

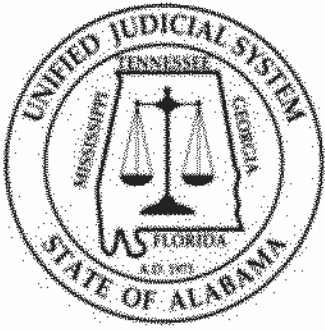
D001 - IRMA N CHAIDEZ

*(Defendant)*



**SERVICE RETURN COPY**





## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rsieh.com

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# NOTICE OF SERVICE

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was served on 2/2/2020

**D001 CHAIDEZ IRMA N**

**Corresponding To**

**AUTHORIZED SERVICE**

JARVES CHAIDEZ, BROTHER, WAS SERVED FOR IRMA CHAIDEZ

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov





ELECTRONICALLY FILED  
5/6/2020 2:35 AM  
58-DV-2020-900106.00  
CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

## STATE OF ALABAMA

Revised 3/5/08

Cas

Unified Judicial System

58-SHELBY

 District Court     Circuit Court

DV2

PORTFOLIO RECOVERY ASSOCIATES, LLC V.  
IRMA N CHAIDEZ

## CIVIL MOTION COVER SHEET

Name of Filing Party: C001 - PORTFOLIO RECOVERY ASSOCIATES,  
LLC

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

JASON BRADY PATRICK  
PO Box 312277  
Enterprise, AL 36331  
Attorney Bar No.: PAT069

 Oral Arguments Requested

## TYPE OF MOTION

## Motions Requiring Fee

- Default Judgment (\$50.00)  
Joinder in Other Party's Dispositive Motion  
(i.e. Summary Judgment, Judgment on the Pleadings,  
or other Dispositive Motion not pursuant to Rule 12(b))  
(\$50.00)
- Judgment on the Pleadings (\$50.00)
- Motion to Dismiss, or in the Alternative  
Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary  
Judgment, Judgment on the Pleadings, or other  
Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Summary Judgment pursuant to Rule 56 (\$50.00)
- Motion to Intervene (\$297.00)
- Other \_\_\_\_\_  
pursuant to Rule \_\_\_\_\_ (\$50.00)

\*Motion fees are enumerated in §12-19-71(a). Fees  
pursuant to Local Act are not included. Please contact the  
Clerk of the Court regarding applicable local fees.

Local Court Costs \$ 0 \_\_\_\_\_

## Motions Not Requiring Fee

- Add Party
- Amend
- Change of Venue/Transfer
- Compel
- Consolidation
- Continue
- Deposition
- Designate a Mediator
- Judgment as a Matter of Law (during Trial)
- Disburse Funds
- Extension of Time
- In Limine
- Joinder
- More Definite Statement
- Motion to Dismiss pursuant to Rule 12(b)
- New Trial
- Objection of Exemptions Claimed
- Pendente Lite
- Plaintiff's Motion to Dismiss
- Preliminary Injunction
- Protective Order
- Quash
- Release from Stay of Execution
- Sanctions
- Sever
- Special Practice in Alabama
- Stay
- Strike
- Supplement to Pending Motion
- Vacate or Modify
- Withdraw
- Other \_\_\_\_\_  
pursuant to Rule \_\_\_\_\_ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously  
with this motion an Affidavit of Substantial Hardship or if you  
are filing on behalf of an agency or department of the State,  
county, or municipal government. (Pursuant to §6-5-1 Code  
of Alabama (1975), governmental entities are exempt from  
prepayment of filing fees)

Date:  
5/6/2020 2:34:26 AM

Signature of Attorney or Party  
/s/ JASON BRADY PATRICK



ASSIGNMENT CASE COVERSHEET

CASE NO: 58-DV-2020-900106.00

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC

V.

DEFENDANT: IRMA N CHAIDEZ

1. The following certificate is made to the Court by the undersigned to obtain a default judgment in the above styled case:
2. The original creditor is: CITIBANK, N.A. (SEARS)
3. The account was assigned by the original creditor to:

Portfolio Recovery Associates, LLC

The account was subsequently assigned as follows:

From: \_\_\_\_\_ To: \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_

Copies of the original signed contract and all subsequent assignments are attached hereto.

4. The balance from the original creditor has been verified along with the balances assigned by each assignor and reflect all the credits due to the defendant.

Alternatively:

5. If this claim is made on account stated, a copy of the statement on which the claim is based is attached along with affidavit that the statement was transmitted to the defendant's address and that the defendant has failed to object to said statement.

The foregoing information is certified by the undersigned in his/her capacity as an officer of the Court. I understand that sanctions may issue if this information is not correct.

  
Attorney for Plaintiff

(NOTICE: THIS COVERSHEET AND ATTACHMENTS MUST BE SUBMITTED WITH ALL ASSIGNMENT DEFAULT APPLICATIONS)

State of Alabama Unified Judicial System  Form C-25A Rev. 6/07	APPLICATION, AFFIDAVIT AND ENTRY OF DEFAULT	Case No. 58-DV-2020-900106.00
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## IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

I, affiant, request that the Judge pursuant to Rule 55(b) of the Alabama Rules of Civil Procedure enter a default judgment against Defendant(s), IRMA N CHAIDEZ, in the above case for the Defendant(s) failing to plead, answer or otherwise defend the Complaint filed by Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC.

The affiant, being duly sworn, states as follows:

1. That the affiant has personal knowledge of the facts set forth in this affidavit.
2. That Defendant, IRMA N CHAIDEZ, was served with a summons and a copy of the Statement of Claim/Complaint on February 2, 2020.
3. That more than 14 days have elapsed since the defendant was served with a summons and a copy of the Statement of Claim/Complaint.
4. That the Defendant(s) has/have failed to answer or otherwise defend himself against Plaintiff's Complaint.
5. That this affidavit is executed by the affiant in accordance with Rule 55(a) of the Alabama Rules of Civil Procedure, for purpose against the plaintiff's Claim/Complaint.
6. The Defendant(s) is/are not an infant or an incompetent person, and is not in military service.
7. Judgement conditions: Without Waiver of Exemptions.
8. The amount of money claimed owed by Defendant(s) to Plaintiff is the sum of \$7,381.68 plus costs of court, with a credit of \$0.00 for payments made subsequent to the filing of the lawsuit.
9. The affiant requests entry of judgment by the Court.

Affiant



JASON B. PATRICK (PAT069)  
 LAURA T.D. SIMS (SIM101)  
 WILLIAM M. AVERETT, JR. (AVE013)  
 RORY M. GALLAGHER (GAL043)  
 CHARLES E. BYROM (BYR027)  
 MALEA A. HIGDON (8689R34H)  
 LESLIE H. CARBO (6272L66L)  
 JOY B. AVERETT (9654O76B)  
 Attorney for Plaintiff  
 RAUSCH STURM  
 PO Box 312277  
 Enterprise, AL 36331  
 Toll Free: (877) 215-2552 TTY: 711  
 Fax: (877) 396-4464  
 LawfirmAL@rsich.com

Sworn to and Subscribed Before me on the  
 30 day of April, 2020

*Jina Patch*  
 Notary Public  
 JINA W. PATCH  
 Notary Public, Alabama State At Large  
 My Commission Expires 03.02.2021

Entry of default entered against Defendant IRMA N CHAIDEZ..

Date

Judge/Clerk/Register

Default judgment is hereby rendered against Defendant in the amount of \$7,381.68, plus court costs.

Date

Judge/Clerk/Register

3930282

## Department of Defense Manpower Data Center

Results as of: Mar-06-2020 09:52:12 AM

SCRA 5.3


**Status Report  
Pursuant to Servicemembers Civil Relief Act**

SSN: [REDACTED]  
 Birth Date: [REDACTED]-1991  
 Last Name: CHAIDEZ  
 First Name: IRMA  
 Middle Name: N  
 Status As Of: Mar-06-2020  
 Certificate ID: 2YHZW98Y1JQCS1Y

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Michael V. Sorrento, Director  
 Department of Defense - Manpower Data Center  
 400 Gigling Rd.  
 Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. ? 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q33) via this URL: <https://scra.dmdc.osd.mil/faq.xhtml#Q33>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. ? 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

### More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC ? 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC ? 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

### Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC ? 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

**WARNING:** This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

## IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC

PLAINTIFF

vs.

CASE NO. 58-DV-2020-900106.00

IRMA N CHAIDEZ

DEFENDANT(S)

**MOTION FOR ENTRY OF DEFAULT JUDGMENT**

NOW INTO COURT, through undersigned counsel, comes Plaintiff who requests a default be entered against Defendant(s) pursuant to Rule 55 of the Alabama Rules of Civil Procedure, and the Defendant(s) having been duly served with the Summons and Complaint and not being an infant or an unrepresented incompetent person, and having failed to plead or otherwise defend against the Plaintiff's Complaint.

WHEREFORE, Plaintiff respectfully requests this Honorable court to award a judgment against the Defendant(s).

Respectfully Submitted,  
 RAUSCH STURM  
 ATTORNEYS IN THE PRACTICE OF DEBT COLLECTION



JASON B. PATRICK (PAT069)  
 LAURA T.D. SIMS (SIM101)  
 WILLIAM M. AVERETT, JR. (AVE013)  
~~RORY M. GALLAGHER (GAL043)~~  
 CHARLES E. BYROM (BYR027)  
 MALEA A. HIGDON (8689R34H)  
 LESLIE H. CARBO (6272L66L)  
 JOY B. AVERETT (9654O76B)  
 Attorney for Plaintiff  
 RAUSCH STURM  
 PO Box 312277  
 Enterprise, AL 36331  
 Toll Free: (877) 215-2552 TTY: 711  
 Fax: (877) 396-4464  
 LawfirmAL@rsieh.com

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC

PLAINTIFF

vs.

CASE NO. 58-DV-2020-900106.00

IRMA N CHAIDEZ

DEFENDANT(S)

**JUDGMENT**

This action comes before the Court on the motion of Plaintiff for a Default judgment pursuant to Rule 55(b)(2) of the Alabama Rules of Civil Procedure. Defendant(s), IRMA N CHAIDEZ, having been duly served with the Summons and Complaint, and not being an infant or an unrepresented incompetent person, and having failed to plead or otherwise defend:

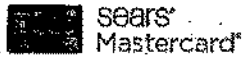
IT IS ORDERED AND ADJUDGED that Plaintiff is hereby awarded a judgment against Defendant(s) in the sum of \$7381.68 and costs of court. Defendant(s) is entitled to a credit of \$.00.

Judgment conditions: Without Waiver of Exemptions.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

JUDGE



Servicio al Cliente:  
searscard.com  
Consultas de Cuenta:  
1-800-652-3468

### Estado de Cuenta

En las Oficinas de Facturación y Cobranza, Servicio al Cliente:  
SEARS CREDIT CARDS  
PO Box 8282, Sears Falls, SD 57174-2822

Balace/Saldo Anterior	\$9,147.18
Pagos	-\$0.00
Otros Créditos	-\$0.00
Comoras	+\$0.00
Adeudos en Efectivo	+\$0.00
Cargos Cobrados	+\$27.00
Intereses Cobrados	+\$187.52
Nuevo Balance/Saldo	\$9,381.68
Monto Vencido	\$2,040.00

Límite de Crédito	\$0.00
Crédito Disponible	\$0.00
Límite de Adelantos en Efectivo	\$0.00
Límite de Efectivo Disponible	\$0.00
Monto que Excede el Límite de Crédito	\$1,581.88
Fecha de Cierre del Estado de Cuenta	04/19/2017
Fecha de Cierre del Estado de Cuenta	05/14/2017
Días incluidos en el Ciclo de Facturación	30

Nuevo Balance/Saldo	\$9,381.68
Pago Mínimo Adeudado	\$3,950.68
Fecha de Vencimiento de Pago	Mayo 10, 2017

**Advertencia por Retraso de Pago:** Si no recibimos su pago mínimo en la fecha mencionada arriba, podrá tener que pagar un cargo por demora de hasta \$87.

**Atención de Pago Mínimo:** Si efectúa únicamente el pago mínimo en cada período, pagará más en intereses y tardará más tiempo en cancelar su balance/saldo. Por ejemplo:

Si no realiza ningún adelanto en el ciclo de la tarjeta y paga más pagos	Condición de balance adeudado en el estado de cuenta en la fecha especificada de	Intereses pagados en los próximos 24 meses
Únicamente el pago mínimo	22 años	\$23,363
\$378	3 años	\$19,606 (Alcance=\$9,757)

Si desea obtener información sobre los servicios de asesoramiento de crédito, llame al 1-877-937-1186.

Por favor, tenga en cuenta que si recibimos su pago por teléfono o en línea de 5 p.m. a la media noche, Hora del Este, del último día de su período de facturación, su pago no se verá reflejado hasta su próximo estado de cuenta.

Por favor actualice su número de teléfono incluido en el número de teléfono en el dorso del cupón de pago.

**TRANSACCIONES**

Fecha de Trans	Descripción	Número de Referencia	Monto
<b>CARGOS</b>			
04/10	CARGO POR DEMORA		\$ 37.00
<b>TOTAL DE CARGOS EN ESTE PERÍODO</b>			<b>\$ 37.00</b>

2 MS 3  
POR FAVOR CONSULTE LA INFORMACIÓN IMPORTANTE QUE APARECE EN LA PÁGINA 2      Página 1 de 4      Esta cuenta es emitida por Citibank, N.A.



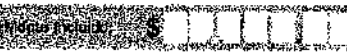
PO BOX 8286  
SEARS FALLS, SD 57174-8286

Se Número de Cliente en [redacted] 33 8311



Fecha de Vencimiento del Pago	Mayo 10, 2017
Balace/Saldo	\$9,381.68
Monto Vencido	\$2,040.00
Pago Mínimo Adeudado	\$3,950.68

Estado de Cuenta Adjunto



El Monto Vencido está incluido en el Pago Mínimo Adeudado.  
Por favor escriba cambio de dirección en el reverso.  
Haga Sus Cheques a Nombre de

IRMA N CHAVEZ  
5119 LEE STREET DR  
BIRMINGHAM, AL 35242-3605

SEARS CREDIT CARDS  
PO BOX 78001  
PHOENIX, AZ 85062-8051





Cuenta: \*\*\*\* \* 8311

## TRANSACCIONES (continuado)

Fecha de Trans	Descripción	Número de Referencia	Monto
<b>INTERESES CARGADOS</b>			
04/19	INTERESES CARGADOS SOBRE COMPRAS		\$ 197.52
TOTAL DE INTERESES EN ESTE PERIODO			\$ 197.52

Totales de 2017 Hasta la Fecha	
Total de Cargos Aplicados en 2017	\$148.00
Total de Intereses Cargados en 2017	\$755.61

## DETALLE DE LA ACTIVIDAD Y DE LAS PROMOCIONES

Monto de Trans de la Promoción Original	Fecha de la Promoción	Tasa de Balances Anterior	Pagos y Otros Créditos	Compras, Adelantos y Otros Cargos y Débitos		Intereses Cobrados	Nuevo Balance	Pago Mínimo Acumulado de la Promoción	Cargos por Intereses Diferidos	Fecha de Vencimiento de la Promoción
				Cargos y Débitos	Intereses Cobrados					
<b>COMPRAS</b>										
REGULARES		\$9,147.16		\$37.00		\$197.52	\$9,381.68			
<b>ADELANTOS EN EFECTIVO</b>										
REGULARES										
<b>TOTAL</b>		<b>\$9,147.16</b>	<b>\$0.00</b>	<b>\$37.00</b>		<b>\$197.52</b>	<b>\$9,381.68</b>	<b>\$0.00</b>	<b>\$0.00</b>	

CÁLCULO DEL CARGO POR INTERESES			
Tipo de Balance	Saldo	Tasa de Porcentaje Anual (APR)	Cargos por Intereses
Su Tasa de Porcentaje Anual (APR) es la tasa de interés anual en su cuenta.			
<b>COMPRAS</b>			
REGULARES		26.99% (D/V)	\$9,247.16
<b>ADELANTOS</b>			
REGULARES		27.30% (D/V)	\$0.00
(V) = Tasa Variable (D) = Constante			

**Depués sobre informes de crédito.** Si usted considera que hemos suministrado información incorrecta a una agencia de informes de crédito, comuníquenos a la dirección de Servicio al Cliente que se indica en la Página 1.

**Reporte inmediatamente una tarjeta perdida o robada.** Si tenemos el número de su tarjeta, así como la Cuenta que aparece en la Página 1.

**Qué hacer si usted encuentra un error en su Estado de Cuenta**  
Si usted encuentra que no todo es correcto en su Estado de Cuenta, escribámosle a la oficina de crédito. Las direcciones de facturación y servicio al cliente que aparecen en la Página 1 de su Estado de Cuenta.

- En su carta, identifíquenos la sección y número de cuenta.
- Indíquenos el número de miembro y número de tarjeta.
- Explíquenos la información de crédito necesaria que nos debe proporcionar, facturas, documentos y de cómo consideramos un error y el motivo por el cual lo consideramos un error.

Una de las cosas que podemos hacer es:

- Hacer un pago de 60 días a partir de la fecha en que el error haya aparecido en su Estado de Cuenta.
- Como máximo 3 días hábiles antes de la fecha en que se encuentra programado un pago automatizado, usted puede suspender el pago del monto que usted debe.

Dependamos de usted para que nos informe por escrito. Puede llamarnos por teléfono, pero en ese caso no tenemos la capacidad de investigar ningún posible error y usted nos agradecerá que le obligamos a pagar el monto correspondiente.

**Qué sucederá luego de que recibamos su carta**  
Cuando recibamos su carta, deberemos hacer dos cosas:

1. En un plazo de 30 días a partir de la recepción de su carta, deberemos informarle que vamos a recibir su carta, brindar la información si ya hemos concluido el error.
2. En un plazo de 90 días a partir de la recepción de su carta, deberemos contactarlo al menos una vez para que le avisemos que el error se ha resuelto.

**Mientras investigamos si se ha producido o no un error:**

- No recibamos el monto total o alguno de sus pagos, si pagamos a la institución de donde hacemos parte de nuestra tarjeta.
- El tiempo que nos toma para investigar en su Estado de Cuenta, y pagar sus tarjetas, puede ser más de 60 días hábiles a partir de la recepción de su carta.
- Si mientras nosotros de la obligación de pagar el monto en cuestión, se le responsable por el resto de su deuda.
- Podríamos avisarle que pagar más de pagar contra su límite de crédito.

**Después que finalicemos nuestra investigación, sucederá una de las cosas:**

- Si confirmamos que no hay un error en su tarjeta, usted debe pagar el monto de su deuda en el plazo de 30 días hábiles a partir de la recepción de su carta.

• Si compramos que no se ha producido un error, usted tendrá la opción de pagar el monto en cuestión, junto con los intereses y cargos asociados. Le informaremos el estado de cuenta de los montos que usted adeuda y la fecha de vencimiento de pago. Posteriormente los montos reportados como deudas serán a usted en su momento que consideramos que adeuda.

Si usted recibe nuestra información por correo electrónico y que su factura es errónea, deberá estar de acuerdo en un plazo de 30 días para indicar o que continúa negándose a pagar. En ese caso, no podemos reportar como deudas los montos de reportar también en su Estado de Cuenta. Si usted desea informarnos a través del número de contacto, por favor contactarnos a través de los números de contacto de los departamentos y direcciones de correo electrónico que aparecen en la Página 1 de su Estado de Cuenta.

Si no puede pagar un monto de pago que se ha informado, usted no tendrá obligación de pagar los montos de pago de los departamentos de pago de facturas y servicios.

**Sus derechos si usted no está satisfecho con sus compras por tarjeta de crédito**  
Usted no está satisfecho con los productos o servicios que compró con su tarjeta de crédito y no sabe todo de su tarjeta de crédito con el comercio que compró, recibí bienes o servicios de un negocio que usted cree que es un fraude.

Para ejercer sus derechos, debe cumplir con las condiciones siguientes:

1. La compra debe haberse hecho en el estado donde usted reside en un máximo de 90 días de la dirección postal actual y el precio de la compra debe haber sido inferior a \$500. (No se requiere de una tarjeta de crédito si no compra de un negocio que usted cree que es un fraude o si la compra es de un negocio que le vende los productos o servicios de nuestra propiedad.)
2. Usted debe haber utilizado su tarjeta de crédito con la compra. No aplican los compras hechos con adelantado en efectivo a través de un cajero automático o mediante un cheque que se cobra a su tarjeta de crédito.
3. Usted no deberá haber pagado con la totalidad de la compra.

Si se cumplen todos los requisitos que se indican arriba y usted cree que no está satisfecho con la compra, debe solicitar un reembolso por escrito a la dirección de correo electrónico que aparece en la Página 1 de su Estado de Cuenta.

Debido a nuestra inversión de tiempo y recursos en el estado de cuenta, usted debe pagar el monto de su deuda, el monto de la compra que usted debe pagar, los intereses y cargos asociados con la compra. Si usted no puede pagar el monto de su deuda, usted no podrá reportar como deudas los montos de pago de los departamentos de pago de facturas y servicios.



Servicio al Cliente:  
searscard.com  
Consultas de Cuenta:  
1-800-869-3408

### Estado de Cuenta

Enviar Advers de Exceso de Facturación y Consultas de Servicio al Cliente:  
SEARS CREDIT CARDS  
PO BOX 6282, Phoenix, AZ 85717-6282

Número de Cuenta: **6311**

Balanza/Saldo Anterior	\$5,642.97
Pagos	-5400.00
Otros Créditos	-\$0.00
Compras	+\$2,350.88
Adelantos en Efectivo	+\$0.00
Cargos Cobrados	+\$0.00
Intereses Cobrados	+\$148.17
Nuevo Balance/Saldo	\$7,742.02
Monto Vencido	\$0.00

Nuevo Balance/Saldo	\$7,742.02	
Pago Mínimo Adeudado	\$226.00	
Fecha de Vencimiento de Pago	Octubre 10, 2016	
Advertencia por Retraso de Pago: Si no recibimos su pago mínimo en la fecha mencionada arriba, podrá tener que pagar un cargo por demora de hasta \$37.		
Alerta de Pago Mínimo: Si efectúa únicamente el pago mínimo en cada periodo, pagará más en intereses y tardará más tiempo en cancelar su balance adeudado. Por ejemplo:		
Si no realiza pagos adicionales utilizando esta tarjeta y paga más tarde:	Cancelará el balance adeudado indicado en este estado de cuenta en un plazo aproximado de:	El monto que deberá pagar:
Únicamente el pago mínimo	22 años	\$22,452
\$310	3 años	\$11,154 (Al menos \$11,294)

Límite de Crédito	\$7,800.00
Crédito Disponible	\$0.00
Límite de Adelantos en Efectivo	\$50.00
Límite de Efectivo Disponible	\$0.00
Monto que Excede el Límite de Crédito	\$0.00
Fecha de Cierre del Estado de Cuenta	09/12/2016
Fecha de Cierre del siguiente Estado de Cuenta	10/11/2016
Días incluidos en el Ciclo de Facturación	30

Reciba las comunicaciones en línea. **¡Obtenga un crédito en el estado de cuenta de Sears!** Oferta válida hasta el 10/31/16. Ver los detalles.

Por favor actualice su número de teléfono usando su número de teléfono celular al dorso del cupón de pago.

**TRANSACCIONES**

Fecha de Trans	Descripción	Número de Referencia	Monto
08/13	DOLLAR TREE MOBILE AL	054389850022VW54	\$ 3.25
08/18	WOLLS 40067 BIRMINGHAM AL	051359480022VW61	\$ 100.59
08/13	WAL MART #0262 FURNHAM AL	06482027KBLGYS12P	\$ 10.28
08/14	SHELL OIL 801022090PB BIRMINGHAM AL	050870KLFXIFOR00	\$ 25.00

**Sonrisas Garantizadas.** **Obtenga tarjetas de regalo de Sears y Kmart en la tienda o en línea.**

POR FAVOR CONSULTAR LA INFORMACIÓN DISPONIBLE QUE APARECE EN LAS PÁGINAS 2 Y 4. Esta cuenta es emitida por Citibank, N.A.



Su Número de Cuenta es **6311**

**Sonrisas Garantizadas.** **Obtenga tarjetas de regalo de Sears y Kmart en la tienda o en línea.**

Fecha de Vencimiento del Pago	Octubre 10, 2016
Balanza/Saldo	\$7,742.02
Monto Vencido	\$0.00
Pago Mínimo Adeudado	\$226.00

Estado de Cuenta Adjunto

Por favor escriba nombre de dirección en el reverso. Haga Sus Cheques a Nombre de...

IRMA N CHANDEZ  
8119 LEE STREET DR  
BIRMINGHAM, AL 35242-3605

SEARS CREDIT CARDS  
PO BOX 78081  
PHOENIX, AZ 85062-8081

**Información sobre su cuenta.**

**Cómo evitar el pago de intereses sobre sus compras.** El costo de un préstamo de crédito de tarjeta de crédito depende de la fecha de cancelación. Si se cancela antes de la fecha de vencimiento de intereses sobre las compras, el costo de la tarjeta se reduce. Esto se debe a que el costo de los intereses sobre las compras se calcula sobre la base de la fecha de cancelación. Para evitar el pago de intereses sobre las compras, debe cancelar el préstamo antes de la fecha de vencimiento de intereses sobre las compras. Consulte el contrato de la tarjeta de crédito para obtener más información sobre los intereses sobre las compras y las opciones de pago.

Si usted tiene un saldo sujeto a una promoción de intereses diferidos y tiene un vencimiento antes de la fecha de vencimiento de pago, ese saldo que "no cargaste" quedará en la tarjeta. Esto significa que los intereses se volverán a cobrar si no cancela el saldo antes de la fecha de vencimiento de pago. También, el saldo que "no cargaste" en la tarjeta de crédito puede ser usado para obtener un préstamo de crédito sobre la tarjeta de crédito. Esto puede ser un riesgo si no cancela el saldo antes de la fecha de vencimiento de pago. Consulte el contrato de la tarjeta de crédito para obtener más información sobre los intereses sobre las compras y las opciones de pago.

**Cómo calculamos su saldo sujeto a tasa de interés.** Usamos un método de capitalización mensual de la deuda. El saldo de la deuda que se debe por la tarjeta de crédito se calcula al final de cada mes. El saldo de la deuda que se debe por la tarjeta de crédito se calcula al final de cada mes. El saldo de la deuda que se debe por la tarjeta de crédito se calcula al final de cada mes. El saldo de la deuda que se debe por la tarjeta de crédito se calcula al final de cada mes.

**Transferencias de Saldo.** Las transferencias de saldo se realizan de la tarjeta de crédito a la tarjeta de crédito. El costo de la transferencia de saldo se calcula sobre la base de la fecha de cancelación de la deuda. El costo de la transferencia de saldo se calcula sobre la base de la fecha de cancelación de la deuda. El costo de la transferencia de saldo se calcula sobre la base de la fecha de cancelación de la deuda. El costo de la transferencia de saldo se calcula sobre la base de la fecha de cancelación de la deuda.

**Otra información sobre la cuenta y el pago.** Verifique la fecha de vencimiento de la deuda y el monto de la deuda. El costo de la deuda se calcula sobre la base de la fecha de cancelación de la deuda. El costo de la deuda se calcula sobre la base de la fecha de cancelación de la deuda. El costo de la deuda se calcula sobre la base de la fecha de cancelación de la deuda.

**Cuándo se acreditará su pago.** El tiempo que tarda en acreditarse un pago depende de la forma de pago. Si se paga en efectivo, el pago se acreditará inmediatamente. Si se paga por depósito bancario, el pago se acreditará al día siguiente. Si se paga por depósito en efectivo, el pago se acreditará al día siguiente. Si se paga por depósito en efectivo, el pago se acreditará al día siguiente. Si se paga por depósito en efectivo, el pago se acreditará al día siguiente.

- París correcta.** Para que un pago sea correcto, debe cumplir con los siguientes requisitos:
- **Adaptarse a la moneda y el país.** El pago debe estar en la moneda y el país correctos.
  - **Incluir el nombre y los datos de identificación del cliente.**

**Pago realizado por correo.**

- **En la Henda donde está disponible.** Cualquier pago en efectivo debe acreditarse inmediatamente en la tarjeta. Si se paga en efectivo, el pago se acreditará inmediatamente. Si se paga por depósito bancario, el pago se acreditará al día siguiente. Si se paga por depósito en efectivo, el pago se acreditará al día siguiente.

- **Por Internet.** Para pagar por Internet, debe utilizar el sitio web de la tarjeta de crédito. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente.

- **AutoPay.** Si se utiliza AutoPay, el pago se acreditará automáticamente. El pago se acreditará automáticamente. El pago se acreditará automáticamente. El pago se acreditará automáticamente.
- **Por teléfono.** El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente.

- **Como pago por depósito en efectivo.** El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente. El pago se acreditará al día siguiente.

**Si envía un cheque que califique junto con este cheque de pago, usted debe asegurarse de completar su pago por depósito electrónico. Si lo hacemos, el monto del cheque se debitará de la cuenta de cheques. Podemos hacer esto el mismo día que recibamos el cheque. Además, el cheque será destruido.**

FOR THE PEOPLE OF CALIFORNIA

THE STATE OF CALIFORNIA

AS PASSED BY THE SENATE, FEBRUARY 19, 2019

ASSEMBLY BILL 1000

**Por favor indique cambio de dirección y actualice/agregue sus números de teléfono celular.** (Solo para uso personal)

.....  
\*Celular: .....      \*Particular: .....

**Actualice su información financiera.** Mantenga nuestros registros al día. Nos ayudará a dar mejor respuesta a sus reclamos de crédito.

**Ingresos anuales:** .....

**Pago mensual de hipoteca o de alquiler:** .....

**Teléfono:** Al dar un número de teléfono celular, es un número que convierta posteriormente en un número de teléfono celular. Usted acepta que nosotros o nuestros proveedores de servicios podemos llamarle a ese número utilizando un mensaje o texto. Pueden enviarse tarifas de su plan de tel.

**Ingresos Anuales:** Entre los ejemplos de ingresos sujetos a impuestos, honorarios, ingresos de acciones o ganancias de plusvalía. Si tiene 21 años o más, usted puede incluir ingresos de otras personas a los que usted o ellas pueda acceder para pagar sus cuentas.

No necesita declarar rentas de alquiler o alquileres en el informe de ingresos de manutención si no es que se consideren como base para pagar una deuda.

Cuenta: \*\*\*\* \* 8311

TRANSACCIONES (continuado)

Fecha de	Descripción	Numero de Referencia	Monto
09/16	WAL-MART #3424 BIRMINGHAM AL	054032KXZLMEPHH	\$ 16.57
09/16	PAYPAL *PLATINUMCON #62835793 GA	5542058M621703LS	\$ 280.00
09/16	WAL-MART #3424 BIRMINGHAM AL	5542058M621703LS	\$ 19.29
09/16	HVVECHCHASE GALLERIA VO HOOVER AL	5541734KI1EA15HPL	\$ 27.25
09/16	HVVECHCHASE GALLERIA VO HOOVER AL	5541734KI1EA15HPL	\$ 57.22
09/16	WAL-MART #3424 BIRMINGHAM AL	0514046KTYLJFP1HAS	\$ 15.52
09/16	WAL-MART #3424 BIRMINGHAM AL	054032KXZLMEPHH	\$ 72.94
09/20	WAFLE HOUSE 2087 HOOVER AL	5531020K056ZYHAWK	\$ 52.08
09/21	HAMPTON DEN & SURF'S PELHAM AL	0543286KV00693891	\$ 189.88
09/22	NET-LIX.COM/NET-LIX.COM GA	5543286KV00693891	\$ 9.90
09/22	SAMS CLUB #4724 HOOVER AL	0543286KV00693891	\$ 25.87
09/22	SAMS CLUB #4724 HOOVER AL	0543286KV00693891	\$ 155.91
09/22	ALDI #0832 PELHAM AL	0514046KTYLJFP1HAS	\$ 58.04
09/22	M PUEBLO SUPERMARKET PELHAM AL	0581401KXEH5W1AWJ	\$ 17.44
09/23	M PUEBLO SUPERMARKET PELHAM AL	0581401KXEH5W1AWJ	\$ 70.28
09/24	HVVECHCHASE GALLERIA VO HOOVER AL	0541734KI1EA15HPL	\$ 77.38
09/24	PAYPAL *W281 #02895738 GA	0542800KYS1D6H1V3X	\$ 11.85
09/24	WAL-MART #3424 BIRMINGHAM AL	0543286KV00693891	\$ 98.89
09/24	WAL-MART #3424 BIRMINGHAM AL	0543286KV00693891	\$ 6.47
09/27	OP'NCOGUE PLAY #28285733 GA	0543286KV00693891	\$ 10.48
09/27	WAL-MART #3424 BIRMINGHAM AL	0543286KV00693891	\$ 22.91
09/28	ADVANCE AUTO PARTS #85 BIRMINGHAM AL	0543286KV00693891	\$ 6.47
09/28	SECURUS KINATE GALL V #90 8446501 TX	7541828L20V9KX0RH	\$ 26.00
09/28	WAFLE HOUSE 2087 HOOVER AL	0531020K056ZYHAWK	\$ 25.99
09/28	GOORDOS MARKET # PELHAM AL	0581401KXEH5W1AWJ	\$ 5.17
09/28	HVVECHCHASE GALLERIA VO HOOVER AL	0541734KI1EA15HPL	\$ 57.77
09/28	HVVECHCHASE GALLERIA VO HOOVER AL	0541734KI1EA15HPL	\$ 44.66
09/28	ZAXBY'S #37804 HOOVER AL	0543286KV00693891	\$ 7.95
09/28	WAL-MART #3424 BIRMINGHAM AL	0543286KV00693891	\$ 4.74
09/28	SAMS CLUB #4724 HOOVER AL	0543286KV00693891	\$ 78.66
09/28	WAL-MART #3424 BIRMINGHAM AL	0543286KV00693891	\$ 25.26
09/28	CHICK-FIL-A #00230 BIRMINGHAM AL	0514046KTYLJFP1HAS	\$ 28.78
09/28	ELMARS BAKERY INC PELHAM AL	0531020K056ZYHAWK	\$ 30.84
09/28	Z OUTLET 2 BIRMINGHAM AL	7590537L74W2VW1V1	\$ 27.78
09/28	Z OUTLET 2 BIRMINGHAM AL	7590537L74W2VW1V1	\$ 28.87
09/28	M PUEBLO SUPERMARKET PELHAM AL	0581401KXEH5W1AWJ	\$ 34.07
09/28	WAL-MART #3424 HOOVER AL	0543286KV00693891	\$ 17.40
09/28	DAVS INVA/DAYSTOP BIRMINGHAM AL	0543286KV00693891	\$ 51.67
09/28	HVVECHCHASE GALLERIA VO HOOVER AL	0541734KI1EA15HPL	\$ 25.37
09/28	MCDONALD'S #26636 HOOVER AL	0514046KTYLJFP1HAS	\$ 14.52
09/28	ACADEMY SPORTS #61 HOOVER AL	054032KXZLMEPHH	\$ 51.45
09/28	RUE21 # 778 HOOVER HOOVER AL	0543286KV00693891	\$ 27.23
09/28	RUE21 # 778 HOOVER HOOVER AL	0543286KV00693891	\$ 53.40
09/28	WAL-MART #2111 BIRMINGHAM AL	0543286KV00693891	\$ 38.47
09/28	PHOTOS BY COPY/PRINT CENTER PELHAM AL	0531020K056ZYHAWK	\$ 34.06
09/28	SU PAGO - @HACIAS	0531020K056ZYHAWK	\$ 409.00
09/28	ZAXBY'S #37804 HOOVER AL	0543286KV00693891	\$ 22.12
09/28	HQJILS #0887 BIRMINGHAM AL	0543286KV00693891	\$ 28.06
09/28	KOHL'S #0887 BIRMINGHAM AL	0543286KV00693891	\$ 5.01
09/28	MCDONALD'S #14426 BIRMINGHAM AL	0514046KTYLJFP1HAS	\$ 20.15
09/28	MCDONALD'S #14426 BIRMINGHAM AL	0514046KTYLJFP1HAS	\$ 8.07
09/28	DOLLAR TREE HOOVER AL	0543286KV00693891	\$ 30.67
09/28	USPS #10001002704275 BIRMINGHAM AL	0543286KV00693891	\$ 5.14
09/28	JET PEP #3 BIRMINGHAM AL	2553806LH5AV2VEBL	\$ 58.00

CARGOS		
TOTAL DE CARGOS EN ESTE PERIODO	\$	0.00
INTERESES CARGADOS		
09/10 INTERES CARGADO SOBRE COMPRAS	\$	148.17
TOTAL DE INTERESES EN ESTE PERIODO	\$	148.17

Cuenta: \*\*\*\* \* 8311

¡Queridos clientes informados de crédito! Si está al tanto de su cuenta de crédito, puede recibir una tarjeta de crédito o cobro en línea. Repórtese inmediatamente una tarjeta de crédito o cobro en línea en la página 1.

¿Qué hacer si usted encuentra un error en su estado de cuenta?

El estado de cuenta que recibe puede tener un error. Si encuentra un error, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.

En su carta, si usted encuentra un error en su estado de cuenta:

- Si el monto de su pago es incorrecto, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.
- Si el monto de su pago es incorrecto, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.
- Si el monto de su pago es incorrecto, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.

Método de pago de su tarjeta de crédito:

- Si el pago de su tarjeta de crédito se realiza en efectivo, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.
- Si el pago de su tarjeta de crédito se realiza en efectivo, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.

Debe recibir una copia de su estado de cuenta por correo electrónico o por correo postal. Si no recibe una copia de su estado de cuenta por correo electrónico o por correo postal, comuníquese con el departamento de atención al cliente de la tarjeta de crédito y servirá a la tarjeta de crédito en la página 1 de su estado de cuenta.

¿Qué sucederá luego de que recibamos su carta?

1. En un plazo de 30 días a partir de la recepción de su carta, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.
2. En un plazo de 60 días a partir de la recepción de su carta, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.

Mientras investigamos si se ha producido o no un error:

- No recibiremos información de su tarjeta de crédito ni de su estado de cuenta.
- El pago de su tarjeta de crédito se realizará en su estado de cuenta y se realizará en el momento de la emisión de la tarjeta de crédito.
- Si no recibimos información de su tarjeta de crédito ni de su estado de cuenta, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.
- Podremos solicitar que envíe una copia de su tarjeta de crédito y su estado de cuenta.

Una vez que finalicemos nuestra investigación, sucederá una de dos cosas:

- Si se ha producido un error, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.
- Si no se ha producido un error, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.

Si su tarjeta de crédito no se ha producido o no se ha producido, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.

Si usted recibe una copia de su estado de cuenta por correo electrónico o por correo postal, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.

Si usted recibe una copia de su estado de cuenta por correo electrónico o por correo postal, le enviaremos información que vamos a recibir de su carta. También le informaremos si y cómo vamos a pagarle.

Sus derechos si usted no está satisfecho con sus compras con tarjeta de crédito

Si usted no está satisfecho con las compras que ha hecho con su tarjeta de crédito, puede solicitar un reembolso de su tarjeta de crédito. También le informaremos si y cómo vamos a pagarle.

Si usted no está satisfecho con las compras que ha hecho con su tarjeta de crédito, puede solicitar un reembolso de su tarjeta de crédito. También le informaremos si y cómo vamos a pagarle.

Si usted no está satisfecho con las compras que ha hecho con su tarjeta de crédito, puede solicitar un reembolso de su tarjeta de crédito. También le informaremos si y cómo vamos a pagarle.

Si usted no está satisfecho con las compras que ha hecho con su tarjeta de crédito, puede solicitar un reembolso de su tarjeta de crédito. También le informaremos si y cómo vamos a pagarle.

Si usted no está satisfecho con las compras que ha hecho con su tarjeta de crédito, puede solicitar un reembolso de su tarjeta de crédito. También le informaremos si y cómo vamos a pagarle.

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Cuenta: \*\*\*\* \* 8311

<b>Totales de 2016 Hasta la Fecha</b>	
Total de Cargos Aplicados en 2016	\$27.00
Total de Intereses Cargados en 2016	\$498.30

DETALLE DE LA ACTIVIDAD Y DE LAS PROMOCIONES

Monto de Trans. de la Promoción Original	Fecha de Trans. de la Promoción	Balance/Saldo Anterior	Pagos y Otros Créditos	Compras, Ados Es Elvo., Cargos y Otros Débitos	Intereses Cobrados	Nuevo Balance/Saldo	Pago Mínimo Adjudado de la Promoción	Cargos por Intereses Diferidos	Fecha de Vencimiento de la Promoción
<b>COMPRAS</b>									
REGULARES		25,642.97	\$400.00	\$2,358.88	\$148.17	\$7,742.02			
<b>ADELANTOS EN EFECTIVO</b>									
REGULARES									
<b>TOTAL</b>		<b>\$5,642.97</b>	<b>\$400.00</b>	<b>\$2,358.88</b>	<b>\$148.17</b>	<b>\$7,742.02</b>	<b>\$0.00</b>	<b>\$0.00</b>	

CÁLCULO DEL CARGO POR INTERESES

Su Tasa de Porcentaje Anual (APR) es la tasa de interés anual en su cuenta.

Tipo de Balance/Saldo	Tasa de Porcentaje Anual (APR)	Balance/Saldo Sujeto a Tasa de Interés	Cargo por Intereses
<b>COMPRAS</b>			
REGULARES	25.49% (D.I.V)	\$7,072.88	\$148.17
<b>ADELANTOS</b>			
REGULARES	27.40% (D.I.V)	\$0.00	\$0.00

(V) = Tasa Variable (I) = Usado

**SHOP YOUR WAY**

VIAJAR EN VERANO AHORA ES FÁCIL.  
**OBTENGA EL DOBLE DE PUNTOS**

Cuando reserve su viaje a través de la página web de <http://www.shopyourway.com/travel>

**AVIS** **Budget** **Expedia**

AL REVISAR ESTOS TÉRMINOS Y CONDICIONES, USTED CONCORDA EN QUE SU TARJETA DE CREDITO SERA UTILIZADA PARA PAGAR SU VIAJE... (V) = Tasa Variable (I) = Usado



# Reciba las comunicaciones en línea.

## ¡Obtenga un crédito en el estado de cuenta de \$5!\*

Los estados de cuenta en línea son lo mejor para el medio ambiente y también para usted. ¡Con menos papel, tendrá menos basura! Account Online hace que sea más fácil ver sus estados de cuenta mensuales, consultar su saldo, pagar su factura y mucho más... ¡todo en un solo lugar!

### Deje de usar papel hoy mismo!

- 1** Inicie sesión/inscríbese para acceder a su cuenta en línea en [paperless.bankofamerica.com](http://paperless.bankofamerica.com)
- 2** Deje de usar papel a más tardar el **31 de octubre de 2016**
- 3** Obtenga un crédito en el estado de cuenta de \$5!




\*La oferta sólo está válida y aplicable en el momento en que se comunicaron al titular es elegible para el crédito en el estado de cuenta para poder recibir el crédito en el estado de cuenta. El crédito en el estado de cuenta sólo se otorga en el momento de la activación de la cuenta de 4 a 6 semanas a partir de la activación de esta página o contacto.


El valor del crédito en el estado de cuenta se otorga según el Servicio de Rentas Internas (IRS) como ingresos reconocidos en el Formulario 1099-MISC. Citibank, N.A. emite el Formulario 1099-MISC al final de los impuestos estadounidenses sujetos a impuestos que están recibidos de Citibank, N.A. en el SEOC o más en un año. Usted es responsable de cualquier impuesto, título con su asesor de impuestos si tiene alguna pregunta.

Citi y el Servicio del Año son marcas de servicio registradas de Citigroup Inc.

077



**Ahorre en mejoras al hogar**



---

**Financiamiento especial en 18 meses\***

sobre compras selectas de mejoras del hogar de más de \$1,500 cuando usas una tarjeta Sears Plus. Límite. Oferta válida hasta el 10/31/2016

Para un estmado GRATIS en tu hogar, visita [searshomeservices.com/improve](http://searshomeservices.com/improve)

House Experts for Homeowners<sup>SM</sup>

Siempre ha podido pagar su factura de Sears sin cargo en Kmart.

**¡Ahora, también podrá pagar sus otras facturas en Kmart!**

**\$1.50** o menos por transacción para la mayoría de las facturas. Envío del pago al día siguiente.

Hora de Ésta, tiene que pagar en persona al menos de \$1.50 o antes del siguiente día hábil

Televisión • Teléfono • Automóvil • Servicios públicos locales  
¡Y mucho más!

\*Detalles al dorso. [moneyhub.com](http://moneyhub.com)

**¡EXCLUSIVO PARA MIEMBROS DE SHOP YOUR WAY!**

**LOS MIEMBROS RECIBEN HASTA \$250 DE DESCUENTO CUANDO USAS TU TARJETA DE SEARS EN SEARS.COM Y KMART.COM**

RECIBE				
<b>\$25</b> DE DESC. <small>al hacer una compra de \$100-\$199</small>	<b>\$50</b> DE DESC. <small>al hacer una compra de \$200-\$499</small>	<b>\$100</b> DE DESC. <small>al hacer una compra de \$500-\$999</small>	<b>\$200</b> DE DESC. <small>al hacer una compra de \$1,000-\$1,499</small>	<b>\$250</b> DE DESC. <small>al hacer una compra de \$1,500 o más</small>









Contract ID: PR8MUMAA121217  
Document ID: PR8MUMAA062218C8  
Document ID: 061318PR1MU318B1

**BILL OF SALE AND ASSIGNMENT**

THIS BILL OF SALE AND ASSIGNMENT dated June 27, 2018, is by Citibank, N.A., a national banking association organized under the laws of the United States, located at 701 East 60th Street North, Sioux Falls, SD 57117 (the "Bank") to Portfolio Recovery Associates, LLC ("Buyer"), organized under the laws of Delaware, with its headquarters/principal place of business at 130 Corporate Boulevard, Norfolk, VA 23502.

For value received and subject to the terms and conditions of the Master Purchase and Sale Agreement dated December 12, 2017 and Addendum No. 8 dated June 22, 2018, between Buyer and the Bank (the "Agreement"), the Bank does hereby transfer, sell, assign, convey, grant, bargain, set over and deliver to Buyer, and to Buyer's successors and assigns, the Accounts described in Exhibit 1 and the final electronic file.

Citibank, N.A.

By:   
(Signature)

Name: Sean M. Cooney, SVP  
GEID: 1010710247  
Citibank, N.A.  
11500 NW Ambassador Drive, Ste. 400  
Kansas City, MO 64153  
sean.m.cooney@citibank.com  
816-503-6168  
Title: \_\_\_\_\_

Contract ID: PR8MUMAA121217  
Document ID: PR8MUMAA062218C8  
Document ID: 061318PR1MU3IBA1

**Exhibit 1**

The individual Accounts transferred are described in the final electronic file and delivered by the Bank to Buyer, the same deemed attached hereto by this reference.

<b>Lot</b>	<b>Sale ID</b>	<b>#of Accounts</b>	<b>Sale Amount</b>	<b>Sale Rate</b>	<b>Cut-Off Date</b>
<b>CRS Media Inventory Bulk</b>	<b>[REDACTED] U3IB</b>				<b>6/13/2018</b>

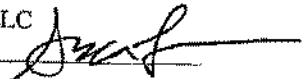
ACCOUNT NUMBER	*****8311
SALE SEGMENT	SEARSMC
PRODUCT IDENTIFIER CODE	12885300
PRODUCT DESCRIPTION	SEARS MASTERCARD
SALE ID	[REDACTED] USIB
SALE AMOUNT	7381.6800
PRINCIPAL	5704.3600
PRE CHARGE OFF INTEREST	1428.3200
PRE CHARGE OFF FEES	249.0000
POST CHARGE OFF INTEREST	0.0000
POST CHARGE OFF FEES	0.0000
ORIGINAL LOAN BALANCE	
CHARGE OFF BALANCE	9381.6800
CURRENT BALANCE	7381.6800
ACCOUNT OPEN DATE	4/15/2012 12:00:00 AM
DEFAULT DATE	10/14/2016 12:00:00 AM
CHARGE OFF DATE	4/14/2017 12:00:00 AM
LAST PAYMENT AMOUNT	2000.0000
LAST PAYMENT DATE	5/5/2017 12:00:00 AM
LAST PURCHASE AMOUNT	10.0000
LAST PURCHASE DATE	9/14/2016 12:00:00 AM
LAST BALANCE TRANSFER AMOUNT	
LAST BALANCE TRANSFER DATE	
LAST CASH ADVANCE AMOUNT	
LAST CASH ADVANCE DATE	
TOTAL PAYMENTS POST CHARGE OFF	2000.0000
TOTAL NSF POST CHARGE OFF	0.0000
TOTAL CREDITS POST CHARGE OFF	0.0000
CONSUMER FIRST AND MIDDLE NAME	IRMA N
CONSUMER LAST NAME	CHAIDEZ
CONSUMER RESIDENCE ADDRESS 1	5119 LEE STREET DR
CONSUMER RESIDENCE ADDRESS 2	
CONSUMER RESIDENCE CITY	BIRMINGHAM
CONSUMER STATE	AL
CONSUMER ZIP CODE	****3605
CONSUMER RESIDENCE COUNTRY	

CONSUMER RESIDENCE PHONE	
BAD NUMBER INDICATOR	Y
CONSUMER SSN OR SIN	
CONSUMER BIRTH DATE	
AWARENESS INDICATOR	0
LANGUAGE INDICATOR	SP
ATTORNEY LAW FIRM	
ATTORNEY NAME	
ATTORNEY PHONE	
ATTORNEY ADDRESS	
ATTORNEY CITY	
ATTORNEY STATE	
ATTORNEY ZIP CODE	
BANKRUPTCY CHAPTER	
BANKRUPTCY FILE DATE	
BK PROOF OF CLAIM PRINCIPAL	
BK PROOF OF CLAIM INTEREST	
BK PROOF OF CLAIM FEE	
BANKRUPTCY CASE NUMBER	
BANKRUPTCY TRUSTEE	
CO-BORROWER FIRST AND MIDDLE NAME	
CO-BORROWER LAST NAME	
CO-BORROWER SSN OR SIN	
PRIOR ACCOUNT NUMBER 1	*****4137
PRIOR ACCOUNT NUMBER 2	
PRIOR ACCOUNT NUMBER 3	
PRIOR ACCOUNT NUMBER 4	
PRIOR ACCOUNT NUMBER 5	
LENDING LEVEL 1	CPLR
LENDING LEVEL 2	SBNK
ATLAS_ACCTNUM	*****8311

AFFIDAVIT

I, the undersigned, Susan Lee, Custodian of Records, for Portfolio Recovery Associates, LLC hereby depose, affirm and state as follows:

1. I am competent to testify to the matters contained herein.
2. I am an authorized employee of Portfolio Recovery Associates, LLC, ("Account Assignee") which is doing business at Riverside Commerce Center, 120 Corporate Boulevard, Norfolk, Virginia. I am familiar with the policies and practices, as well as the books and records of Account Assignee with respect to the matters stated herein. This affidavit is based upon my personal knowledge of Account Assignee's record keeping system and my review of the business records of the Original Creditor CITIBANK, N.A./SEARS Account Assignee's records, including a review of the business records transferred to Account Assignee from CITIBANK, N.A. ("Account Seller"), which have become a part of and have integrated into Account Assignee's business records, in the ordinary course of business.
3. According to the business records, which are maintained in the ordinary course of business, the account, and all proceeds of the account are now owned by the Account Assignee, all of the Account Seller's interest in such account having been sold, assigned and transferred by the Account Seller on 06/27/2018. Further, the Account Assignee has been assigned all of the Account Seller's power and authority to do and perform all acts necessary for the settlement, satisfaction, compromise, collection or adjustment of said account, and the Account Seller has retained no further interest in said account or the proceeds thereof, for any purpose whatsoever.
4. According to the records transferred to the Account Assignee from Account Seller, and maintained in the ordinary course of business by the Account Assignee, there was due and payable from IRMA N CHAIDEZ ("Debtor and Co-Debtor") to the Account Seller the sum of \$7,381.68 with the respect to account number ending in 8311 as of the date of 06/27/2018 with there being no known un-credited payments, counterclaims or offsets against the said debt as of the date of the sale.
5. According to the account records of said Account Assignee, after all known payments, counterclaims, and/or setoffs occurring subsequent to the date of sale, Account Assignee claims the sum of \$7,381.68 as due and owing as of the date of this affidavit.
6. Plaintiff believes that the defendant is not a minor or an incompetent individual, and declares that the Defendant is not on active military service of the United States.

Portfolio Recovery Associates, LLC 

By: Susan Lee, Custodian of Records


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Diego

DEC 13 2019

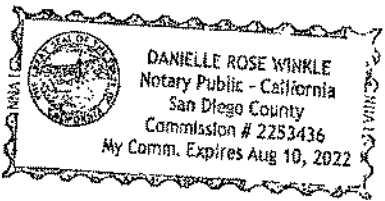
Susan Lee

Subscribed and sworn to (or affirmed) before me on \_\_\_\_\_ of \_\_\_\_\_, by \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

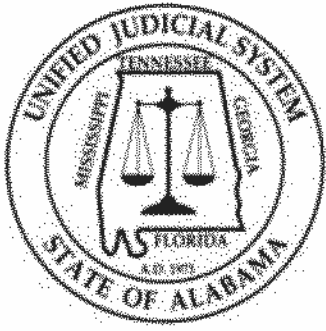


Notary Public

3930282







## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 5/6/2020 2:35:12 AM

**C001 PORTFOLIO RECOVERY ASSOCIATES, LLC**

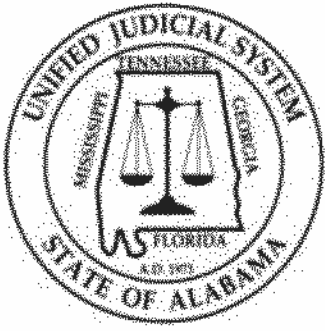
MOTION FOR DEFAULT JUDGMENT

[Filer: PATRICK JASON BRADY]

Notice Date: 5/6/2020 2:35:12 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 5/6/2020 2:35:12 AM

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MOTION FOR DEFAULT JUDGMENT

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205-669-3760  
mary.harris@alacourt.gov



State of Alabama Unified Judicial System  Form C-25A Rev. 6/07	APPLICATION, AFFIDAVIT AND ENTRY OF DEFAULT	Case No. 58-DV-2020-900106.00
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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

I, affiant, request that the Judge pursuant to Rule 55(b) of the Alabama Rules of Civil Procedure enter a default judgment against Defendant(s), IRMA N CHAIDEZ, in the above case for the Defendant(s) failing to plead, answer or otherwise defend the Complaint filed by Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC.

The affiant, being duly sworn, states as follows:

1. That the affiant has personal knowledge of the facts set forth in this affidavit.
2. That Defendant, IRMA N CHAIDEZ, was served with a summons and a copy of the Statement of Claim/Complaint on February 2, 2020.
3. That more than 14 days have elapsed since the defendant was served with a summons and a copy of the Statement of Claim/Complaint.
4. That the Defendant(s) has/have failed to answer or otherwise defend himself against Plaintiff's Complaint.
5. That this affidavit is executed by the affiant in accordance with Rule 55(a) of the Alabama Rules of Civil Procedure, for purpose against the plaintiff's Claim/Complaint.
6. The Defendant(s) is/are not an infant or an incompetent person, and is not in military service.
7. Judgement conditions: Without Waiver of Exemptions.
8. The amount of money claimed owed by Defendant(s) to Plaintiff is the sum of \$7,381.68 plus costs of court, with a credit of \$.00 for payments made subsequent to the filing of the lawsuit.
9. The affiant requests entry of judgment by the Court.

Affiant

JASON B. PATRICK (PAT069)  
 LAURA T.D. SIMS (SIM101)  
 WILLIAM M. AVERETT, JR. (AVE013)  
 RORY M. GALLAGHER (GAL043)  
 CHARLES E. BYROM (BYR027)  
 MALEA A. HIGDON (8689R34H)  
 LESLIE H. CARBO (62721.66L)  
 JOY B. AVERETT (9654076B)  
 Attorney for Plaintiff  
 RAUSCH STURM  
 PO Box 312277  
 Enterprise, AL 36331  
 Toll Free: (877) 215-2552 TTY: 711  
 Fax: (877) 396-4464  
 LawfirmAL@rsieh.com

Sworn to and Subscribed Before me on the  
30 day of April, 2020

LINDA PATCH  
 Notary Public  
 Notary Public, Alabama State At Large  
 My Commission Expires 03.02.2021

Entry of default entered against Defendant IRMA N CHAIDEZ..

Date

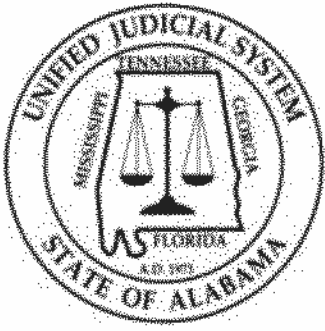
Judge/Clerk/Register

Default judgment is hereby rendered against Defendant in the amount of \$7,381.68, plus court costs.

Date

5/6/2020

Judge/Clerk/Register



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

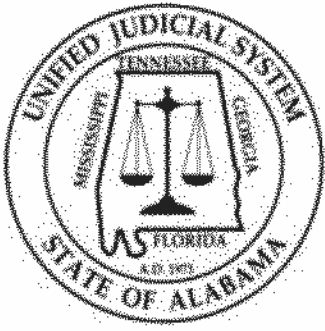
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 5/6/2020 11:56:11 AM

Notice Date: 5/6/2020 11:56:11 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 5/6/2020 11:56:11 AM

Notice Date: 5/6/2020 11:56:11 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



ELECTRONICALLY FILED  
12/17/2021 4:39 PM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

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

# PROCESS OF GARNISHMENT

## IN THE DISTRICT COURT OF SHELBY COUNTY,

**NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):**  
PORTFOLIO RECOVERY ASSOCIATES, LLC  
PO BOX 12914  
NORFOLK VA 23541

**NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment):**  
IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM AL 35242

**NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:**  
Jason B. Patrick  
PO Box 312277  
Enterprise, AL 36331

**DATE OF JUDGMENT:** May 6, 2020

**JUDGMENT AMOUNT:** \$7,381.68

**INTEREST:** \$0.00

**COSTS:** \$363.06

**LESS CREDIT:** \$0.00

**OTHER:**

**TOTAL:** \$7,744.74

**NAME AND ADDRESS OF GARNISHEE:**  
CAVA Holding Company DBA Cava Grill  
702 H St NW  
Washington, DC 20001

### 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 22nd day of November 2021

*Karen McKinney*  
Notary Public/Clerk (Signature)

KAREN MCKINNEY  
Notary Public, Alabama State At Large  
My Commission Expires 07/01/2023

*Laura T.D. Sims*  
Affiant/Attorney (Signature) Laura T.D. Sims

### 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, CAVA Holding Company DBA Cava Grill

and a copy on the defendant, IRMA N CHAIDEZ 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 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 \$7,744.74 (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:

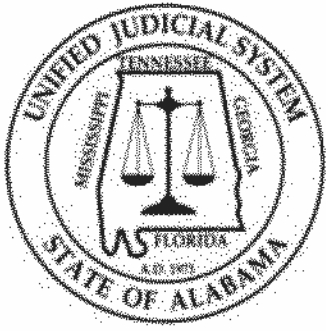
By:

Deputy Clerk

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

on (Date) \_\_\_\_\_ Service on (Defendant) \_\_\_\_\_ on (Date) \_\_\_\_\_

Served by: \_\_\_\_\_ Title: \_\_\_\_\_



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

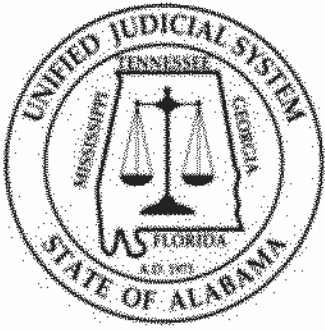
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following Garnishment was ISSUED on 12/20/2021 11:19:47 AM

Notice Date: 12/20/2021 11:19:47 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242

---

# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

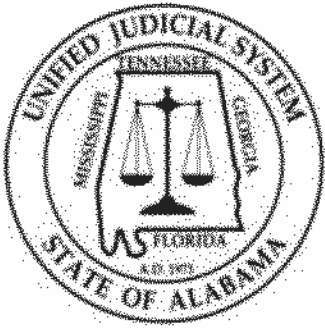
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mary.harris@alacourt.gov





## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CAVA HOLDING COMPANY DBA CAVA GRILL  
702 H ST NW  
WASHINGTON, DC, 20001

---

# NOTICE OF ELECTRONIC FILING

---

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

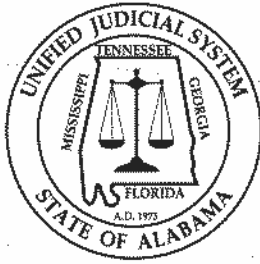
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112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



# NOTICE TO FILER

Requirements for Completing Service

IN THE COURT OF SHELBY COUNTY, ALABAMA  
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ

**58-DV-2020-900106.00**

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

In your Garnishment filing, you requested that one or more of the Defendants be served by Private Process Server:

**In order to affect service, you must deliver the following document to the process server for service.**

The process server, once the process server has served the recipient, must complete the "service return". This service return must be returned to the Clerk of the Court issuing service.

MARY HARRIS  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL 35051

**The summons and complaint should be served in compliance with Alabama Rules of Civil Procedure 4:**

**How Served and Returned.** The person serving process shall locate the person to be served and shall deliver a copy of the process and accompanying documents to the person to be served. When the copy of the process has been delivered, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the docket sheet relating to the action. The return shall clearly indicate the name, address, and telephone number of the person serving process. The return of the person serving process in the manner described herein shall be prima facie evidence that process has been served.

State of Alabama  
Unified Judicial System

# ORDER OF SERVICE AND RETURN

Case Number

58-DV-2020-900106.00

FORM C-15 Rev. 10/92

## IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC (C001)

V. IRMA N CHAIDEZ (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): IRMA N CHAIDEZ (D001) (G001)at the following address: 5119 LEE STREET DR, BIRMINGHAM, AL 35242-0000

and make return to this court.

12/20/2021

Date

/s/ MARY HARRIS

Signature of Court Clerk

By \_\_\_\_\_

MARY HARRIS  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL 35051

### RETURN ON SERVICE

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

In The DISTRICT Court of SHELBY County, Alabama to

(Name of County or Municipality)

Name: IRMA N CHAIDEZ (D001) (G001)

on (Date): \_\_\_\_\_

Address: 5119 LEE STREET DRCity/State/Zip Code: BIRMINGHAM, AL 35242-0000Address  
of Server: \_\_\_\_\_

Signature of Server

City/State/Zip Code: \_\_\_\_\_

Type of Process Server

*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.

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.

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) 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 the lesser amount.
- (3) After the calculation is made in accordance with (2) above, 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 previous page.
- (4) 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 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.**

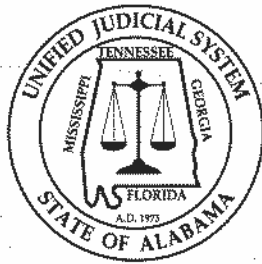
**NOTICE TO PLAINTIFF OF RIGHT TO CONTEST CLAIM OF EXEMPTION OF DEFENDANT**

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.**



## NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY  
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA  
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ

58-DV-2020-900106.00

To: CLERK SHELBY  
clerk.shelby@alacourt.gov

TOTAL POSTAGE PAID: \$7.53

Parties to be served by Certified Mail - Return Receipt Requested

CAVA HOLDING COMPANY DBA CAVA GRILL  
702 H ST NW  
WASHINGTON, DC 20001

Postage: \$7.53

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

Parties to be served by First Class Mail

State of Alabama  
Unified Judicial System

# ORDER OF SERVICE AND RETURN

Case Number

58-DV-2020-900106.00

FORM C-15 Rev. 10/92

## IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC (C001)

V. IRMA N CHAIDEZ (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
- e. Answer Form

to (name): CAVA HOLDING COMPANY DBA CAVA GRILL (G001)at the following address: 702 H ST NW, WASHINGTON, DC 20001-0000

and make return to this court.

12/20/2021

Date

/s/ MARY HARRIS

Signature of Court Clerk

By \_\_\_\_\_

MARY HARRIS  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL 35051

### RETURN ON SERVICE

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

In The DISTRICT Court of SHELBY County, Alabama to

(Name of County or Municipality)

Name: CAVA HOLDING COMPANY DBA CAVA GRILL

(G001)

Address: 702 H ST NW

on (Date): \_\_\_\_\_

City/State/Zip Code: WASHINGTON, DC 20001-0000Address  
of Server: \_\_\_\_\_

Signature of Server

City/State/Zip Code: \_\_\_\_\_

Type of Process Server

*Instructions for Determining the Percentage of Wages, Salary or Other Compensation to be Withheld*

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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.**

State of Alabama  
Unified Judicial System

# GARNISHEE'S ANSWER

Case Number

FORM C-22 Rev. 11/06

58-DV-2020-900106.00

## IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC (C001)

V. IRMA N CHAIDEZ (D001)

**Plaintiff** (Person Asserting Claim)

**Defendant** (Person Whose Property is Subject to Garnishment)

**Garnishee:** CAVA HOLDING COMPANY DBA CAVA GRILL (G001)

**Business Address:** 702 H ST NW

WASHINGTON	DC	20001-0000
City	State	Zip

### NOTICE TO GARNISHEE:

After reading the Process of Garnishment and Instructions attached in this Garnishment packet, check the appropriate answer(s) below, sign, and have notarized. Keep a copy of this Answer for your records and return the original and two copies to the Clerk of the above-named Court at the address below.

- The defendant is employed, and the garnishee will withhold from the salary, wages, or other compensation of the defendant, as required, and pay the amounts withheld to the Clerk of the above-named Court.
- The defendant is employed, but the defendant's disposable earnings are not sufficient to be subject to garnishment.
- The garnishee has in the garnishee's possession or control non-exempt property or money belonging to the defendant, which is not wages, salary, or other compensation, namely:

\_\_\_\_\_ and is holding the property or money subject to orders of the Court.

- The garnishee has in the garnishee's possession or control money belonging to the defendant, which is not wages, salary or other compensation, but all such money is exempt from execution by federal law and thus not subject to garnishment.
- The defendant is not employed, the garnishee was not indebted to the defendant when the process was received, or, when making this Answer or during the intervening time, the garnishee does not have possession or control of any belongings of the defendant.
- If the garnishee is a corporation, the person signing below is the duly authorized agent of the garnishee to make this Answer and has knowledge of the facts stated herein.
- Other (Explain): \_\_\_\_\_

\_\_\_\_\_  
Garnishee or Authorized Agent (Signature)

Clerk of Court: MARY HARRIS

Sworn to and Subscribed before me this

Date: \_\_\_\_\_

Business Address: POST OFFICE BOX 1810

112 NORTH MAIN STREET

COLUMBIANA	AL	35051
City	State	Zip

Business Telephone Number: 205-669-3760

\_\_\_\_\_  
Notary Public (Signature)



# PROCESS OF GARNISHMENT



ELECTRONICALLY FILED  
12/20/2021 11:19 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, 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, CAVA HOLDING COMPANY DBA,  
and a copy on the defendant, CHAIDEZ IRMA N (D001) , and make proper return to this  
CAVA GRILL (G001)

### 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 \$ \$7744.74 (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: 12/20/2021 /s/ MARY HARRIS Clerk By: /s/ JOC Deputy Clerk  
Address: POST OFFICE BOX 1810 112 NORTH MAIN STREET, COLUMBIANA, AL 35051

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



ELECTRONICALLY FILED  
12/17/2021 4:39 PM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

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

# PROCESS OF GARNISHMENT

## IN THE DISTRICT COURT OF SHELBY COUNTY,

**NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim):**  
PORTFOLIO RECOVERY ASSOCIATES, LLC  
PO BOX 12914  
NORFOLK VA 23541

**NAME AND ADDRESS OF DEFENDANT (Person Whose Property is Subject to Garnishment):**  
IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM AL 35242

0001

**NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:**  
Jason B. Patrick  
PO Box 312277  
Enterprise, AL 36331

**DATE OF JUDGMENT:** May 6, 2020

**JUDGMENT AMOUNT:** \$7,381.68

**INTEREST:** \$0.00

**COSTS:** \$363.06

**LESS CREDIT:** \$0.00

**OTHER:**

**TOTAL:** \$7,744.74

**NAME AND ADDRESS OF GARNISHEE:**  
CAVA Holding Company DBA Cava Grill  
702 H St NW  
Washington, DC 20001

0001

### 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 29th day of November, 2021

*Karen M. McKinney*  
Notary Public, Alabama State #114930  
My Commission Expires 07/21/2023

*Laura T.D. Sims*  
Affiant/Attorney Signature) **Laura T.D. Sims**

### 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, CAVA Holding Company DBA Cava Grill and a copy on the defendant, IRMA N CHAIDEZ, 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 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 \$7,744.74 (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: 12/20/21  
Clerk: MARY H. HARRIS By: [Signature]  
Address: CIRCUIT CLERK, SHELBY CO Deputy Clerk  
P.O. BOX 1810  
COLUMBIANA, AL 35051

This process was executed by serving a copy on [Garnishee] on (Date) \_\_\_\_\_ Service on (Defendant) \_\_\_\_\_ on (Date) \_\_\_\_\_

Served by: \_\_\_\_\_ Title: \_\_\_\_\_

619 2577 6199  
0000 0500 1200

<b>U.S. Postal Service</b> <b>CERTIFIED MAIL RECEIPT</b> <i>Domestic Mail Only</i>	
<small>For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a></small>	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To <u>Cava Holding Company</u>	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
<small>PS Form 3800, April 2007 Edition</small>	

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

# PROCESS OF GARNISHMENT



ELECTRONICALLY FILED  
12/20/2021 11:19 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, 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, CAVA HOLDING COMPANY DBA and a copy on the defendant, CHAIDEZ IRMA N (D001) CAVA GRILL (D001), and make proper return to this

**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 \$ \$7744.74 (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:  
12/20/2021

/s/ MARY HARRIS  
Clerk

By: /s/ JOC

Deputy Clerk

Address: POST OFFICE BOX 1810 112 NORTH MAIN STREET, COLUMBIANA, AL 35051

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

on (Date) \_\_\_\_\_ Service on Defendant \_\_\_\_\_ on (Date) \_\_\_\_\_  
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: §9-19-15, Code of Alabama, 1975.**

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.

**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) 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 the lesser amount.
- (3) After the calculation is made in accordance with (2) above, 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 previous page.
- (4) **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 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**

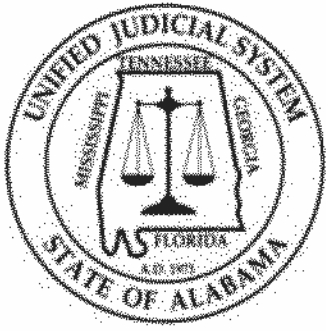
If a "Claim of Exemption" is filed in the Clerk's office and mailed or delivered to you by the defendant, you have approximately ten (10) days to file a "Contest" to the Claim of Exemption with the Clerk of the Court.

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.**





## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

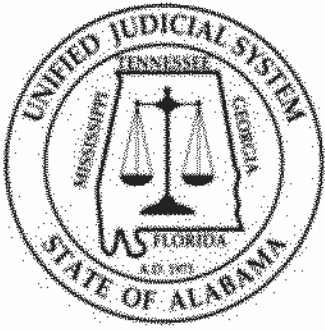
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following GARNISHEE'S ANSWER was FILED on 1/11/2022 11:25:35 AM

Notice Date: 1/11/2022 11:25:35 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

---

# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following GARNISHEE'S ANSWER was FILED on 1/11/2022 11:25:35 AM

Notice Date: 1/11/2022 11:25:35 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
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205-669-3760  
mary.harris@alacourt.gov



SENDER'S ADDRESS ONLY

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CAVA HOLDING COMPANY DBA CAVA GRILL

702 H ST NW

WASHINGTON, DC 20001

A. Signature

X *[Handwritten Signature]*

Agent

Address

B. Received by (Printed Name)

*C19 141*

C. Date of Delivery

*1/14/22*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No



9590 9402 6853 2000 9794 89

2. Article Number (Transfer from service label)

*6619 7257 0000 0558 1208*

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

Insured Mail Restricted Delivery

*6001*

*DV-2020-900106*

USPS TRACKING#



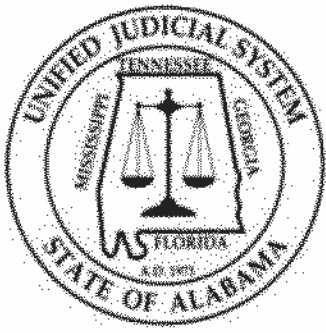
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 6553 1028 9734 89

United States  
Postal Service

\* Sender: Please print your name, address, and ZIP+4® in this box\*

MARY HARRIS  
CIRCUIT CLERK, SHELBY CO  
P.O. BOX 1810  
COLUMBIANA, AL 35051



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rsieh.com

---

# NOTICE OF NO SERVICE

---

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was not served on 1/4/2022

**G001 CAVA HOLDING COMPANY DBA CAVA GRILL**

**Corresponding To**

OTHER

NON SERVE

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



ELECTRONICALLY FILED  
1/19/2022 1:37 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

**STATE OF ALABAMA**

Revised 3/5/08

Cas

Unified Judicial System

58-SHELBY

District Court  Circuit Court

DV2

PORTFOLIO RECOVERY ASSOCIATES, LLC V.  
IRMA N CHAIDEZ

**CIVIL MOTION COVER SHEET**

Name of Filing Party: C001 - PORTFOLIO RECOVERY ASSOCIATES, LLC

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

Oral Arguments Requested

JASON BRADY PATRICK

PO Box 312277

Enterprise, AL 36331

Attorney Bar No.: PAT069

**TYPE OF MOTION**

**Motions Requiring Fee**

**Motions Not Requiring Fee**

- Default Judgment (\$50.00)  
Joinder in Other Party's Dispositive Motion
- (i.e. Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Judgment on the Pleadings (\$50.00)
- Motion to Dismiss, or in the Alternative Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary
- Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Summary Judgment pursuant to Rule 56 (\$50.00)
- Motion to Intervene (\$297.00)
- Other \_\_\_\_\_ pursuant to Rule \_\_\_\_\_ (\$50.00)

- Add Party
- Amend
- Change of Venue/Transfer
- Compel
- Consolidation
- Continue
- Deposition
- Designate a Mediator
- Judgment as a Matter of Law (during Trial)
- Disburse Funds
- Extension of Time
- In Limine
- Joinder
- More Definite Statement
- Motion to Dismiss pursuant to Rule 12(b)
- New Trial
- Objection of Exemptions Claimed
- Pendente Lite
- Plaintiff's Motion to Dismiss
- Preliminary Injunction
- Protective Order
- Quash
- Release from Stay of Execution
- Sanctions
- Sever
- Special Practice in Alabama
- Stay
- Strike
- Supplement to Pending Motion
- Vacate or Modify
- Withdraw
- Other Motion to Condemn And Disburse Garnishment Funds

\*Motion fees are enumerated in §12-19-71(a). Fees pursuant to Local Act are not included. Please contact the Clerk of the Court regarding applicable local fees.

Local Court Costs \$ 0

pursuant to Rule Motion to Condemn And Disburse Garnishment Funds (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously with this motion an Affidavit of Substantial Hardship or if you are filing on behalf of an agency or department of the State, county, or municipal government. (Pursuant to §6-5-1 Code of Alabama (1975), governmental entities are exempt from prepayment of filing fees)

Date:  
1/19/2022 1:36:40 AM

Signature of Attorney or Party  
/s/ JASON BRADY PATRICK

\*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.  
\*\*Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



ELECTRONICALLY FILED  
1/19/2022 1:37 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC

PLAINTIFF

vs.

CASE NO. 58-DV-2020-900106.00

IRMA N CHAIDEZ

DEFENDANT(S)

**MOTION TO CONDEMN AND DISBURSE GARNISHMENT FUNDS**

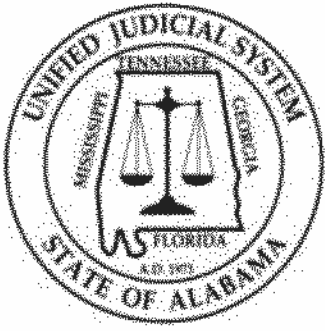
NOW INTO COURT, through undersigned counsel, comes Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC, who moves this Honorable Court to condemn the garnishment funds presently being held in the possession of the clerk of court, and order the distribution of those funds to the Plaintiff's attorney. As grounds for this Motion, the Plaintiff states as follows:

1. Garnishment funds are in the possession of the clerk of court.
2. Said funds were duly collected pursuant to a valid garnishment.

WHEREFORE, premises considered, Plaintiff prays for the condemnation of the garnishment funds presently being held in the registry of the Court, and an order to the Clerk to disburse said funds.

Respectfully Submitted,  
RAUSCH STURM LLP  
ATTORNEYS IN THE PRACTICE OF DEBT COLLECTION

/s/ Jason B. Patrick  
JASON B. PATRICK (PAT069)  
LAURA T.D. SIMS (SIM101)  
RORY M. GALLAGHER (GAL043)  
CHARLES E. BYROM (BYR027)  
LESLIE H. CARBO (LAN086)  
WILLIAM M. AVERETT JR. (AVE013)  
Attorney for Plaintiff  
RAUSCH STURM LLP  
PO Box 312277  
Enterprise, AL 36331  
Toll Free: (877) 215-2552 TTY: 711  
Fax: (877) 396-4464  
LawfirmAL@rsieh.com



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: JASON BRADY PATRICK  
jpatrick@rsieh.com

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# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

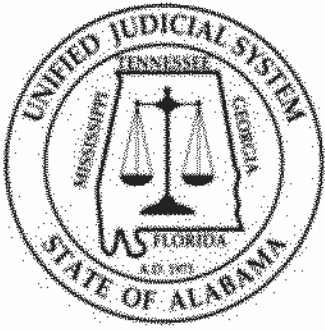
The following matter was FILED on 1/19/2022 1:36:52 AM

**C001 PORTFOLIO RECOVERY ASSOCIATES, LLC**  
MOTION TO CONDEMN AND DISBURSE GARNISHMENT FUNDS  
[Filer: PATRICK JASON BRADY]

Notice Date: 1/19/2022 1:36:52 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

---

# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 1/19/2022 1:36:52 AM

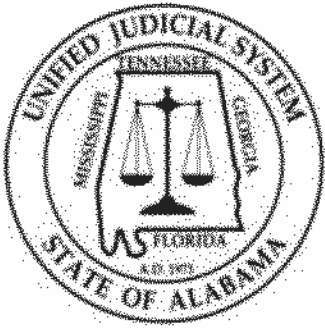
**C001 PORTFOLIO RECOVERY ASSOCIATES, LLC**  
MOTION TO CONDEMN AND DISBURSE GARNISHMENT FUNDS  
[Filer: PATRICK JASON BRADY]

Notice Date: 1/19/2022 1:36:52 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov





## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
WASHINGTON, DC, 20001-0000

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# NOTICE OF ELECTRONIC FILING

---

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 1/19/2022 1:36:52 AM

**C001 PORTFOLIO RECOVERY ASSOCIATES, LLC**  
MOTION TO CONDEMN AND DISBURSE GARNISHMENT FUNDS  
[Filer: PATRICK JASON BRADY]

Notice Date: 1/19/2022 1:36:52 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



ELECTRONICALLY FILED  
1/21/2022 10:38 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA**

PORTFOLIO RECOVERY ASSOCIATES, LLC,	)		
Plaintiff,	)		
	)		
V.	)	Case No.:	DV-2020-900106.00
	)		
CHAIDEZ IRMA N,	)		
Defendant.	)		

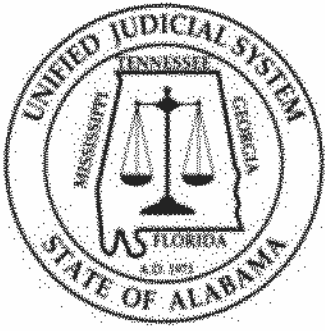
**ORDER**

MOTION TO CONDEMN AND DISBURSE GARNISHMENT FUNDS filed by PORTFOLIO RECOVERY ASSOCIATES, LLC is hereby DENIED. No service for the defendant showing.

**DONE this 21<sup>st</sup> day of January, 2022.**

**/s/ DANIEL A. CROWSON JR.**  
**DISTRICT JUDGE**

---



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rsieh.com

---

# NOTICE OF COURT ACTION

---

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

A court action was entered in the above case on 1/21/2022 10:38:50 AM

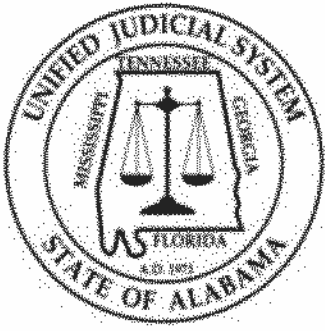
ORDER

[Filer: ]

Disposition: DENIED  
Judge: DCR  
Notice Date: 1/21/2022 10:38:50 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

---

# NOTICE OF COURT ACTION

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

A court action was entered in the above case on 1/21/2022 10:38:50 AM

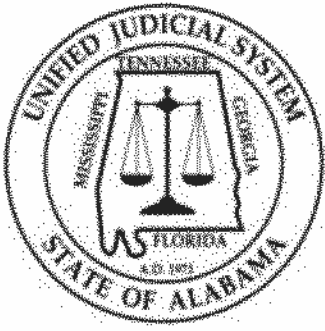
ORDER

[Filer: ]

Disposition: DENIED  
Judge: DCR  
Notice Date: 1/21/2022 10:38:50 AM

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CIRCUIT COURT CLERK  
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205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
WASHINGTON, DC, 20001-0000

---

# NOTICE OF COURT ACTION

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

A court action was entered in the above case on 1/21/2022 10:38:50 AM

ORDER

[Filer: ]

Disposition: DENIED  
Judge: DCR  
Notice Date: 1/21/2022 10:38:50 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov

Jan 17, 2022



MARY HARRIS CLERK  
PO BOX 1810 112 N MAIN ST  
COLUMBIANA, AL 35051

[CAVA-ZAL]  
[GARN1]

RE: Chaidez, Irma [100022133]

CASE: 58-DV-2020-900106.00

To whom it may concern:

The employee referenced above no longer works for Zoe's Restaurants, LLC, as of 11/14/2021.

The last known address is:

5119 lee street dr  
birmigham, AL 35242

The last known phone number is: 205-478-2748

New employer is unknown.

If you have any questions or need more information, please contact Kelli Boyd at 316-685-1622 ext. 3150.

Sincerely,

Kelli Boyd  
Payroll Garnishment Representative  
1938 N Woodlawn  
Wichita, KS 67208

RECEIVED AND FILED  
MARY H. HARRIS

JAN 24 2022

CIRCUIT & DISTRICT COURT CLERK  
SHELBY COUNTY



MARY H HARRIS  
CIRCUIT CLERK AND REGISTER  
EIGHTEENTH JUDICIAL CIRCUIT  
P O Box 1810  
Columbiana, AL 35051  
205-670-5233

The enclosed paperwork is being returned to you for the following reason:

- The signature of the plaintiff is required on the statement of claim form.
- The signature of the defendant is required on the defendant's answer form.
- The signature of the garnishee is required on the garnishee's answer form.
- The signature of the garnishee must be notarized on the garnishee's answer form.
- Additional postage is due for the required, restricted delivery rate for certified mail. The additional amount required is \$\_\_\_\_\_ and may be paid in the form of a check or money order made payable to the U. S. Postmaster.
- The filing fee was not submitted with your documents. A fee of \$\_\_\_\_\_ is required.
- Our records show a balance due of \$\_\_\_\_\_. We cannot take overpayments on accounts. Please verify your payments and re-issue a check in the above listed amount if your records agree with the balance shown above. If your balance shows a different amount, please contact me at 205-670-5274 so that the correct amount due can be determined.

Filing must have original signature of party.

Other: Does not previous garnishee answer form  
need verification  
Please contact me if you have any questions.

Thank you,  
*Kellie Haller*  
Shelby County District Court  
Small Claims Division  
P. O. Box 1810  
Columbiana, AL 35051

AVS601

ALABAMA JUDICIAL DATA CENTER  
SHELBY COUNTY DISTRICT COURT  
GARNISHEE ANSWER

DV 2020 900106.00  
JUDGE: DANNY CROWSON

IN THE DISTRICT COURT OF SHELBY COUNTY

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ

PARTY: CHAIDEZ IRMA N  
ADDRESS: 5119 LEE STREET DR  
BIRMINGHAM AL 35242 0000

PRTY ATY: \*\*\* PRO SE \*\*\*

SSN: 000-00-0000

GARNISHEE: CAVA HOLDING COMPANY DBA CAVA GRILL  
PARTY #: G001  
ADDRESS: 702 H ST NW  
WASHINGTON DC 20001 0000

AFTER READING THE INSTRUCTION SHEET AND THE PROCESS OF GARNISHMENT, CHECK THE APPROPRIATE ANSWER BELOW AND SIGN. KEEP A COPY FOR YOUR FILES AND MAIL ORIGINAL TO ADDRESS BELOW.

--- OBLIGOR IS EMPLOYED AND GARNISHEE WILL WITHHOLD FROM THE SALARY, WAGES, OR COMPENSATION, AS REQUIRED, AND PAY INTO COURT.

--- OBLIGOR IS EMPLOYED, BUT HIS DISPOSABLE EARNINGS ARE NOT SUFFICIENT TO BE SUBJECT TO GARNISHMENT.

--- GARNISHEE HAS IN HIS POSSESSION OR CONTROL PROPERTY OR MONEY BELONGING TO THE OBLIGOR, WHICH IS NOT WAGES, SALARY OR COMPENSATION, NAMELY:

-----  
AND IS HOLDING SAME SUBJECT TO ORDERS OF COURT.

--- OBLIGOR IS NOT EMPLOYED - GARNISHEE NOT INDEBTED TO THE OBLIGOR WHEN PROCESS WAS RECEIVED, OR WHEN MAKING THIS ANSWER, OR DURING INTERVENING TIME, AND HAVE NOT IN MY POSSESSION OR CONTROL ANY BELONGINGS OF THE OBLIGOR.

OTHER (EXPLAIN):  
-----  
-----  
-----  
-----

-----  
GARNISHEE / AGENT / (SIGNATURE)

SWORN AND SUBSCRIBED BEFORE ME ON THIS  
DATE: \_\_\_\_\_

PLAINTIFF'S ATTORNEY:

PATRICK JASON BRADY  
PO BOX 312277

ENTERPRISE AL 36331

-----  
NOTARY / CLERK / REGISTER (SIGNATURE)

PLEASE RETURN TO: MARY H. HARRIS  
DISTRICT COURT OF SHELBY COUNTY  
P.O. BOX 1810  
COLUMBIANA AL 35051  
(205) 669-3760

OPERATOR: KEH  
PREPARED: 01/25/2022





IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES,  
LLC

PLAINTIFF

CASE NO. 58-DV-2020-900106.00

vs.

DEFENDANT(S)

IRMA N CHAIDEZ

**VERIFIED MOTION TO POST GARNISHMENT**


Comes now the Plaintiff in the above styled cause and files this its Motion to Post Garnishment filed on December 20<sup>th</sup>, 2021 pursuant to Alabama Code 1975§6-6-394.1. The garnishment was issued to the defendant at the last known address available on December 20<sup>th</sup>, 2021 and returned by the sheriff/certified mail on February 1<sup>st</sup>, 2022 as unable to serve(reason for return). \_\_\_ A subsequent service was issued on \_\_\_\_\_ to an updated address and was returned on \_\_\_\_\_, not served. X The plaintiff has no new or updated address to attempt further service.

As a result of the garnishment issued, the Circuit Clerk is currently in possession of funds that were withheld from the defendant's wages or bank account. The garnishee has filed an answer with the court that the garnishee is in possession of funds or the defendant is employed by the garnishee. These funds cannot be condemned due to the defendant not being served with the Process of Garnishment. In accordance with Act 2022-397, I am hereby requesting by verified motion and pre-paid filing fee, that this court issue an order for the Circuit Clerk to perfect service on the defendant by posting of the Notice of Garnishment (redacted) and this Courts Order to post on the Clerks Website and a Public Posting at the Courthouse for (4) consecutive weeks. A copy should also be mailed to the defendant at the last known address.

Done on this 11/6/24

By:   
Attorney for Plaintiff  
RAUSCH STURM LLP  
PO Box 312277  
Enterprise, AL 36331  
Toll Free: (877) 215-2552 TTY: 711  
Fax: (877) 396-4464  
LawfirmAL@rauschsturm.com

Sworn to and subscribed before me on 11-6-24

  
Notary Public/Clerk (Signature)  
TINA M. PATCH  
Notary Public, Alabama State At Large  
My Commission Expires 02.25.2025

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES,  
LLC

PLAINTIFF

CASE NO. 58-DV-2020-900106.00

vs.

DEFENDANT(S)

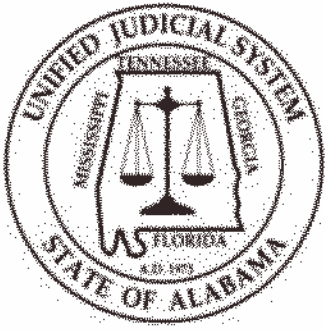
IRMA N CHAIDEZ

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have on 11/6/24, served a copy of the foregoing Verified Motion to Post Garnishment on the Defendant by placing a copy of the same in the US mail, postage prepaid to:

IRMA N CHAIDEZ  
5119 LEE STREET DR  
BIRMINGHAM AL 35242

  
\_\_\_\_\_  
Attorney for Plaintiff  
RAUSCH STURM LLP



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: DANIEL A. CROWSON JR.

To: PATRICK JASON BRADY  
jpatrick@rauschsturm.com

---

# COURTESY NOTICE

---

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 11/12/2024 2:49:35 PM

MOTION FOR SERVICE BY POSTING OF GARNISHMENT  
[Filer: PATRICK JASON BRADY]

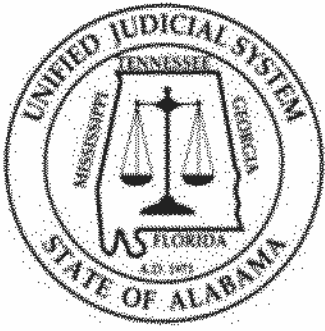
Notice Date: 11/12/2024 2:49:35 PM

This copy is being provided as a courtesy copy only. Providing this copy is not required by law and is not intended to constitute service.

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov





## AlaFile E-Notice

58-DV-2020-900106.00  
Judge: HUB HARRINGTON

To: PATRICK JASON BRADY  
jpatrick@rauschsturm.com

---

# NOTICE OF ELECTRONIC FILING

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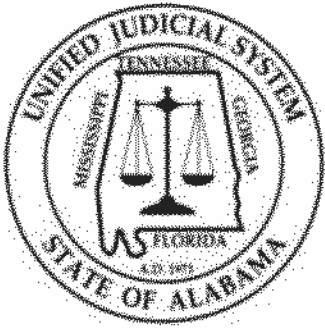
IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA  
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

The following matter was FILED on 11/14/2024 8:15:18 AM

Notice Date: 11/14/2024 8:15:18 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
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112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

---

# NOTICE OF ELECTRONIC FILING

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
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COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



## AlaFile E-Notice

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
WASHINGTON, DC, 20001-0000

---

# NOTICE OF ELECTRONIC FILING

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PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

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POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

quadrant

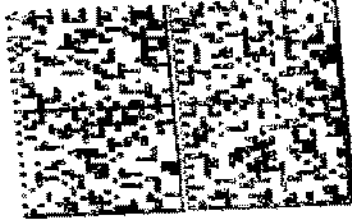
FIRST CLASS MAIL

PM

\$000.69

ZIP 35051

94407135594



**MARY H. HARRIS**  
CIRCUIT CLERK, SHELBY COUNTY  
P.O. BOX 1810  
COLUMBIANA, ALABAMA 35051



RECEIVED AND FILED  
MARY H. HARRIS

NOV 27 2024

*MH*

CIRCUIT & DISTRICT COURT CLERK  
SHELBY COUNTY

0011/22/24

171 DE 1

NIXIE

RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

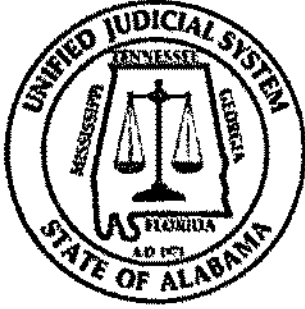
# 2792-04303-27

SC: 35051181010

VAC

35051181010

35051181010



**AlaFile E-Notice**

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
WASHINGTON, DC, 20001-0000

---

## NOTICE OF ELECTRONIC FILING

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PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

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SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
112 NORTH MAIN STREET  
COLUMBIANA, AL, 35051

205-669-3760  
mary.harris@alacourt.gov



ELECTRONICALLY FILED  
11/14/2024 8:15 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA**

PORTFOLIO RECOVERY  
ASSOCIATES, LLC,  
Plaintiff,

V.

CHAIDEZ IRMA N,  
Defendant.

)  
)  
)  
)  
)  
)  
)

Case No.: DV-2020-900106.00

**ORDER**

Motion to Post Garnishment filed by Plaintiff is hereby GRANTED.

**DONE** this 14<sup>th</sup> day of November, 2024.

**/s/ HUB HARRINGTON**  
**DISTRICT JUDGE**

MARY H. HARRIS  
CIRCUIT CLERK, SHELBY COUNTY  
P.O. BOX 1810  
COLUMBIANA, ALABAMA 35051



POSTAGE

quodlibet

FIRST CLASS MAIL

PM

3000

*Mary H. Harris*

RECEIVED AND FILED  
MARY H. HARRIS

DEC 02 2004

CIRCUIT & DISTRICT  
COURT CLERK  
SHELBY COUNTY

171 02 1

171 02 1

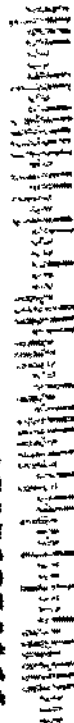
171 02 1

RETURN TO SENDER  
NO MAIL RECEIPT  
OR FEE TO FORWARD

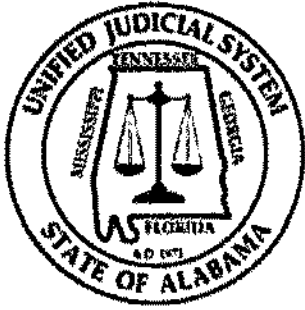
3000399834001

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AlaFile E-Notice

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
WASHINGTON, DC, 20001-0000

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## NOTICE OF ELECTRONIC FILING

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PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

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mary.harris@alacourt.gov





ELECTRONICALLY FILED  
4/10/2025 10:32 AM  
58-DV-2020-900106.00  
DISTRICT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

**IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA**

PORTFOLIO RECOVERY ASSOCIATES,  
LLC,  
Plaintiff,

)  
)  
)

V.

)  
)

Case No.: DV-2020-900106.00

CHAIDEZ IRMA N,  
Defendant.

)  
)

**ORDER**

MOTION FOR SERVICE BY POSTING OF GARNISHMENT filed by PORTFOLIO RECOVERY ASSOCIATES, LLC is hereby GRANTED.

**DONE this 10<sup>th</sup> day of April, 2025.**

**/s/ HUB HARRINGTON**  
**DISTRICT JUDGE**

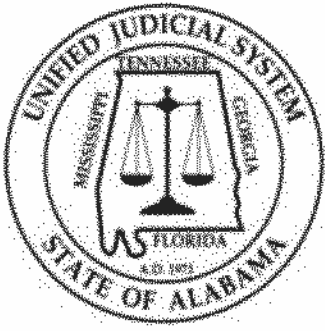


# Notice

**Stamped File Copy  
For Your Records**

**THIS IS NOT A SERVICE COPY  
DO NOT SERVE**





## AlaFile E-Notice

58-DV-2020-900106.00  
Judge: HUB HARRINGTON

To: PATRICK JASON BRADY  
jpatrick@rauschsturm.com

---

# NOTICE OF COURT ACTION

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA  
PORTFOLIO RECOVERY ASSOCIATES, LLC V. IRMA N CHAIDEZ  
58-DV-2020-900106.00

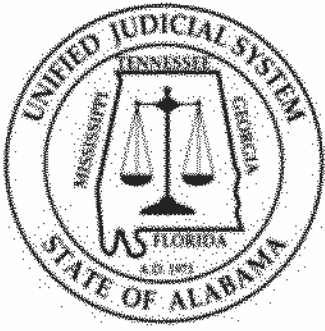
A court action was entered in the above case on 4/10/2025 10:32:15 AM

ORDER  
[Filer: ]

Disposition: GRANTED  
Judge: HBH  
Notice Date: 4/10/2025 10:32:15 AM

MARY HARRIS  
CIRCUIT COURT CLERK  
SHELBY COUNTY, ALABAMA  
POST OFFICE BOX 1810  
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## AlaFile E-Notice

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CHAIDEZ IRMA N (PRO SE)  
5119 LEE STREET DR  
BIRMINGHAM, AL, 35242-0000

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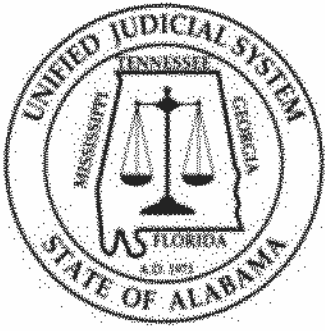
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## AlaFile E-Notice

58-DV-2020-900106.00

Judge: HUB HARRINGTON

To: CAVA HOLDING COMPANY DBA CAVA GRILL (PRO SE)  
702 H ST NW  
\*\*NOTICES RETURNED\*\*  
WASHINGTON, DC, 20001-0000

---

# NOTICE OF COURT ACTION

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IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

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ORDER

[Filer: ]

Disposition: GRANTED  
Judge: HBH  
Notice Date: 4/10/2025 10:32:15 AM

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