



ELECTRONICALLY FILED  
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03-CV-2012-900901.00  
CIRCUIT COURT OF  
MONTGOMERY COUNTY, ALABAMA  
GINA J. ISHMAN, CLERK

**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY,  
ALABAMA**

NATIONAL COLLEGIATE	)	
STUDENT LO AN TRUST	)	
2007-4, A,	)	
Plaintiff,	)	
	)	
V.	)	Case No.: CV-2012-900901.00
	)	
HARVIS KERRY,	)	
Defendant.	)	

**ORDER**

MOTION FOR SERVICE OF GARNISHMENT BY POSTING AND MAILING filed by NATIONAL COLLEGIATE STUDENT LO AN TRUST 2007-4, A is hereby GRANTED.

**DONE this 3<sup>rd</sup> day of January, 2025.**

**/s/ GREG GRIFFIN**  
**CIRCUIT JUDGE**



IN THE CIRCUIT COURT OF MONTGOMERY COUN. . . . .

NATIONAL COLLEGIATE STUDENT LOAN )  
TRUST 2007-4, A DELAWARE STATUTORY )  
TRUST, )

Plaintiff, )

vs. )

KERRY HARVIS, )

Defendant(s). )

CASE NO: CV-2012-900901

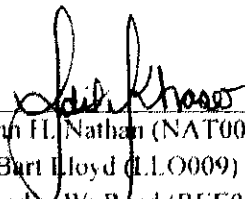
**MOTION FOR SERVICE OF GARNISHMENT BY POSTING AND MAILING**

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

- 1) On or about October 29, 2012, a judgment was entered in favor of Plaintiff and against the Defendant in the amount of \$37,971.60, plus costs of court.
- 2) Plaintiff subsequently filed a garnishment on WISE GUYS MOVING LLC. See Exhibit "A", Document 32 (February 06, 2023 Garnishment on Wise Guys Moving, LLC).
- 3) The Garnishee, WISE GUYS MOVING LLC, has been served, and has been repositing wage garnishment checks into the court from May 2023 to the present, with the most recent deposit being a May 2024 deposit. As of this date, a total of \$8,471.68 in wage garnishment funds are holding with the court.
- 4) Service of process was attempted upon the Defendant contemporaneously with service of process upon the garnishee. However, such service was unable to be perfected upon the Defendant. See Exhibit "B", Document 35 (Service Return filed March 14, 2023, indicating non-service on the Defendant) and Exhibit "C", Document 40 (Service Return filed May 19, 2023, indicating non-service on the Defendant).

WHEREFORE, premises considered, Plaintiff respectfully moves this Honorable Court to allow service of the garnishment by posting and ordinary mail.

Respectfully Submitted,

  
\_\_\_\_\_  
John H. Nathan (NAT004)  
J. Burt Lloyd (LLO009)  
Charles W. Reed (REF048)  
Adil Khoso (KHO002)  
Attorneys for Plaintiff

OF COUNSEL:  
NATHAN & NATHAN, P.C.  
P.O. Box 1715  
Birmingham, AL 35201-1715  
(205) 323-5400

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NATIONAL COLLEGIATE STUDENT LOAN )  
TRUST 2007-4, A DELAWARE STATUTORY )  
TRUST, )

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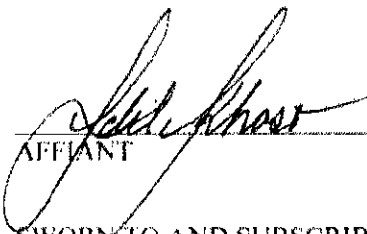
STATE OF ALABAMA )  
JEFFERSON COUNTY )

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

1. My name is Adil Khoso and I am an Attorney with the law firm of Nathan & Nathan, P.C., attorneys for the Plaintiff in this matter. I have personal knowledge of the facts set forth in this affidavit and the records pertaining to the account and judgment of the Defendant.
2. A final judgment was entered in favor of the Plaintiff herein and against the Defendant by this Court on or about October 29, 2012 in the original judgment amount of \$33,517.83, plus costs.
3. On or about February 8, 2023 a garnishment was issued on Garnishee, WISE GUYS MOVING LLC.
4. Service was perfected upon garnishee on or around April 21, 2023. Service upon the Defendant was contemporaneously attempted, however, service was never


perfected. Service Returns were filed with the Court on or about March 14, 2023 and again on May 19, 2023, indicating the Defendant could not be served.

5. The Garnishee has been depositing wage garnishment checks into the court since May 2023 and continuing to this date with the most recent garnishment deposit to the court taking place in May 2024. As of this date, a total of \$8,471.68 has been deposited into the court by the Garnishee and said funds are being held by the Clerk of Court.
6. Further Affiant sayeth not.

  
\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME

this <sup>10<sup>th</sup></sup> day of December, 2024.

  
\_\_\_\_\_  
NOTARY PUBLIC

Commission Expires: October 11, 2027

