

IN THE MAGISTRATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

Revenue Maximization Consultants Corp  
a/a/o APX Alarm Security Solutions Inc,  
Plaintiff,

Case No. 19MCG057087

v.

Brenda Singleton, Defendant.

LHC Group, Inc. c/o Registered Agent:  
Cogency Global Inc., Garnishee.

**ORDER TO SHOW CAUSE WHY GARNISHMENT SHOULD NOT BE DISMISSED**

O.C.G.A. § 18-4-8(b)(3) requires proper service on Defendant before funds may be disbursed. *See also Cook v. NC Two LP*, 712 S.E. 2d 831, 289 Ga. 462 (2011) (“The requirement that the debtor be given notice of the garnishment action is of constitutional dimension.”). In this case—

- There is no certificate stating *what documents* were sent to Defendant; *where* they were sent; *when* they were sent; and *how* they were sent.
- Certificate of service must conform to current law; establish that correct documents were sent; and demonstrate simultaneous First Class mail as required by law.
- ✗ There is no proof (such as signed green card or returned envelope) that Defendant received (or refused) certified mail. O.C.G.A. § 18-4-8 (b)(1)(A)(ii).
  - Returned envelope must be marked “unclaimed” or “refused.” “Not deliverable as addressed” is not “unclaimed” or “refused.”
  - If a web print-out is provided, there must be information in the certificate of service connecting the tracking number in the print-out and the address/recipient to which the certified mail was sent.

Therefore, Plaintiff’s Request to Disburse Funds will be DENIED, this matter will be dismissed without prejudice, and any funds returned to Defendant **UNLESS** Plaintiff e-files on or before \_\_\_\_\_ a new request with documents sufficient to show lawful service on Defendant as required by O.C.G.A. §18-4-8 *or* Defendant’s written waiver of any service objections and consent to disburse funds to Plaintiff.

IT IS SO ORDERED, this 15<sup>th</sup> day of July 2020.

Lindell Bosey  
JUDGE  
FULTON COUNTY MAGISTRATE COURT