

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

Case No.

Debtor(s).

Plaintiff(s),

v.

Adv. Pro. No.

Defendant(s).

Balance due upon
application for writ: \$ _____
(includes interest at ___% per year
through _____, 20__)

WRIT OF GARNISHMENT

The United States of America to _____, garnishee. _____
is the judgment debtor in this case, and owes the amount set out above to judgment creditor,
_____. The judgment creditor believes you hold or control money or property
that belongs to the judgment debtor.

YOU ARE ORDERED to file a written answer with the United States Bankruptcy Court,
Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd NW, Ste 360, Albuquerque, New Mexico
87102, within 21 days from the day you receive this writ. Your answer must be under oath and
on the attached form, "Answer by Garnishee."

YOU ARE FURTHER ORDERED:

1. If you owe the judgment debtor any money (other than wages), or become
indebted to the judgment debtor before filing your answer, you must keep a sufficient amount
of that money to satisfy the judgment and all costs and attorney fees due as a result of service of
this writ and not pay it to the judgment debtor, unless this Court enters an order releasing this writ
of garnishment.

2. If the judgment debtor is an employee of yours, unless the debt is for child support, you shall pay the judgment debtor only

A. 75% of the debtor's disposable earnings (salary less social security, federal and state withholdings, and any other deduction required by law) for any pay period;

or

B. Any amount each week equal to forty times the federal minimum hourly wage rate; whichever is greater.

If the debt is for child support payments, you shall pay the judgment debtor 50% of the debtor's disposable earnings (salary less social security, federal and state withholding). Any wages you owe the employee in excess of that amount or that you may come to owe the employee in excess of that amount must be kept by you until further order of this Court. (A table giving equivalent exemptions for pay periods of other than one week may be obtained from the Financial Institutions Division of the Regulations and Licensing Department, 725 St. Michael's Drive, Santa Fe, NM 87503).

3. If you have any property which belongs to the judgment debtor including any rights, credits, bonds, bills, notes, drafts and other rights to property or money which belongs to the judgment debtor or if you acquire any such property, money or rights to property or money before filing your answer, you must keep a sufficient amount of that property to satisfy the existing judgment and costs and not turn it over to the judgment debtor unless the Court enters an order releasing the property or money.

4. If you hold property or money belonging to the judgment debtor, within four (4) business days after service of this writ you are to mail or deliver a copy of this writ and the application for writ provided by the judgment creditor. If you hold property or money of the judgment debtor's other than wages, you shall also mail or deliver to the judgment debtor, the attached notice of right to claim exemptions and a copy of the attached claim of exemption forms, to each person identified as a judgment debtor. You shall also send or deliver a copy of your answer to this writ to the judgment debtor at:

and to the judgment creditor:

5. The Court will be asked to enter an order awarding \$ _____ for the judgment creditor's costs relative to the service of the writ of garnishment and \$ _____ for judgment creditor's attorney's fees in connection with the writ of garnishment in addition to the balance

due upon application for writ, shown above.

THIS IS A COURT ORDER. If you fail to file the answer, or if you disobey any of these orders, a judgment may be entered against you for the full amount of the unpaid judgment in this case.

CLERK OF COURT

By: _____

Deputy Clerk

United States Bankruptcy Court

Pete V. Domenici U.S. Courthouse

333 Lomas Blvd NW, Ste 360

Albuquerque, New Mexico 87102

Telephone: 505-415-7999; Toll-free: 866-291-6805

(SEAL)

Return for Completion by Sheriff or Deputy:

I certify that I served this writ in said district on the ___ day of _____, 20___, by delivering a copy of the writ and a copy of the application for writ

___ (and, if applicable) a copy of a form for answer by garnishee, a copy of a notice of right to claim exemptions for each judgment debtor and a copy of the claim of exemption form for each judgment debtor:

to _____, garnishee, at the following address:

SHERIFF OF _____ COUNTY
NEW MEXICO

By: _____

Deputy

Fees:

Return for Completion by Other Person Making Service:

I, being duly sworn, on oath, say that I am over the age of 18 years and not a party to this lawsuit, and that I served this writ in said district on the ___ day of _____, 20___, by delivering a copy of the writ and a copy of the application for writ

___ (and, if applicable) a copy of a form for answer by garnishee, a copy of a

notice of right to claim exemptions for each judgment debtor and a copy of the claim of exemption form for each judgment debtor:

to _____, garnishee, at the following address:

Name:

Subscribed and sworn to before me this ____ day of _____, 20__.

Judge, Notary or Other Officer Authorized to Administer
Oaths
Official title: _____

My commission expires:
