

Circuit Court of the 9th Judicial District, County of Teton, State of Wyoming

Name: _____

Court Name- Teton County Circuit Court
Court Address – P.O. Box 2906, Jackson, WY 83001
Court Phone – 307-733-7713
Court Fax – 307-733-8694

Judgment Creditor,

vs.

Name: _____

Docket # _____

Judgment Debtor.

REQUEST FOR ISSUANCE OF A WRIT OF NON-CONTINUING GARNISHMENT

The above named judgment creditor, requests that the Court issue a **WRIT OF NON-CONTINUING GARNISHMENT** to the following person/entity:

Garnishee: _____

Address: _____

DATED: _____.

Judgment Creditor

Total judgment including costs:	\$ _____
Service fees previous garns/exec:	\$ _____
Service Fee for THIS garnishment	\$ _____
Post judgment interest:	\$ _____
Total:	\$ _____
Less payments received:	\$ _____
Balance due:	\$ _____

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Judgment Creditor,

vs.

Name: _____

Docket # _____

Judgment Debtor.

ORDER FOR SERVICE OF A WRIT OF NON-CONTINUING GARNISHMENT WITH RETURN

TO THE SHERIFF OF _____ COUNTY, WYOMING, or other person appointed:

You are commanded to serve upon the GARNISHEE, whose name and address is:

Garnishee _____

Address: _____,

the accompanying **WRIT OF NON-CONTINUING GARNISHMENT** and **ANSWER TO WRIT OF NON-CONTINUING GARNISHMENT** and the **NOTICE OF RIGHT TO HEARING**, and make due return of service hereon, specifying the date and time of service.

DATED: _____.

BY THE COURT:

JUDGE – MAGISTRATE - COMMISSIONER -CLERK

*******RETURN - CERTIFICATE OF SERVICE*******

I, _____, the undersigned hereby certify that I received a copy of this **WRIT OF NON-CONTINUING GARNISHMENT**, the **ANSWER TO WRIT OF NON-CONTINUING GARNISHMENT** and the **NOTICE OF RIGHT TO HEARING** on the ____ day of _____, 20____, and that I served the same on the named GARNISHEE by delivering copies thereof to _____, personally and in person on the ____ day of _____, 20____, at ____ o'clock in the A.M./P.M., at (location): _____

DATED this ____ day of _____, 20____.

Service fees
and costs: \$ _____

Signature of person serving WRIT
Title: _____

State of Wyoming
County of _____

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

Notary Public/Court Clerk

My commission expires:

Circuit Court of the 9th Judicial District, County of Teton, State of Wyoming

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Judgment Creditor,

vs.

Name: _____

Docket # _____

Judgment Debtor.

TO: _____, GARNISHEE,

READ this WRIT carefully and slowly. If you fail to do what it requires, you may become personally liable for the amount claimed by the Judgment Creditor!

1. This GARNISHMENT is issued in the name of the State of Wyoming and accordingly **YOU ARE ATTACHED AS GARNISHEE** until further order of this Court. The above named judgment creditor has a judgment against the above named judgment debtor. Currently the amount still due and owing on the judgment is \$ _____,

2. The Judgment Creditor has named you as a person or entity who may have in your possession credits, wages, money, earnings, and/or commissions, chattels, goods, effects, debts, choses in action, money, personal property or rights to property of the Judgment Debtor, and if so, said credits, wages, money, earnings, and/or commissions, chattels, goods, effects, debts, choses in action, money, personal property or rights to property of the Judgment Debtor, or any of the same or of any that come into your possession or control within 30 days after this **WRIT** is served upon you, are attached by this Writ. **YOU ARE COMMANDED NOT TO PAY ANY DEBT DUE OR TO BECOME DUE TO THE JUDGMENT DEBTOR WHICH IS NOT EXEMPT FROM GARNISHMENT AND YOU ARE TO RETAIN POSSESSION AND CONTROL OF ALL CREDITS, CHATTELS, GOODS, EFFECTS, DEBTS, CHOSSES IN ACTION, MONEY AND PERSONAL PROPERTY AND RIGHTS TO PROPERTY OF THE JUDGMENT DEBTOR WHICH IS OR ARE NOT EXEMPT FROM EXECUTION.**

3. You are required to file with this court a verified Answer to this Writ within ten days, excluding Saturdays, Sundays and legal holidays, from the date of the service of this Writ upon you. However if the Judgment Debtor is an employee of yours, you shall file your Answer within ten (10) days after the Judgment Debtor is paid his/her earning affected by this Writ.

4. If the judgment debtor is employed by you, that is, an hourly wage earner or salaried employee, you are to withhold from the judgment debtor's earnings the amount attached pursuant to this Writ and to pay the exempted amount to the judgment debtor at the time his earnings are normally paid. **Any earnings which are earned by the judgment debtor, but not yet paid, and any earnings which will be earned over the 30 days following service of this WRIT upon you, are subject to this garnishment.** Any earnings attached by this Writ must be withheld from the judgment debtor's pay check(s) and paid to this court at the time your Answer is filed with this Court. The amount to be withheld shall not exceed the amount shown in paragraph 1. above.

5. **IMPORTANT!** Even if, the judgment debtor is not employed by you, or you do not have possession of any credits, chattels, goods, effects, debts, choses in action, money, personal property, or rights to property of the judgment debtor, you are required to file with this Court the **ANSWER TO THE WRIT OF NON-CONTINUING GARNISHMENT** served upon you with this WRIT.

6. You may retain or deduct out of the credits, chattels, goods, effects, debts, choses in action, money, personal property or rights to property which are in your possession, all demands, whether due or not, against the judgment creditor or judgment debtor to which you are entitled and claim. If you retain or deduct any such property, effects, credits or earnings of the judgment debtor's, describe concisely and specifically what, why and how much in your answer to this **WRIT**.

IT IS SO ORDERED.

DATED: _____.

BY THE COURT

JUDGE – MAGISTRATE - COMMISSIONER - CLERK

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Judgment Debtor.

ANSWER TO THE WRIT OF NON-CONTINUING GARNISHMENT

I, the undersigned, as GARNISHEE, verify and declare that the following answers are true and correct.

1. Do you have presently, or will you in the next 30 days, have in your possession, custody or control, any credits, chattels, goods, effects, debts, choses in action, money or other property belonging to the judgment debtor, or in which he or she has or may have an interest? Yes _____, No _____. If your answer is yes, describe: _____.

If your answer is yes, you are to retain said money or other property and dispose of it as the Court orders you.

2. Is the judgment debtor an employee of yours, that is, an hourly wage earner or salaried employee? Yes _____, No _____.

3. **If the judgment debtor is not an employee**, that is, not an hourly wage earner or salaried employee, **skip paragraphs 4., 5. and 6..**

4. If the judgment debtor is an employee of yours, to determine how much, if any, of the judgment debtor's earnings are to be garnished you must first determine the judgment debtor's "Net disposable earnings."

To calculate "Net disposable earnings: a minus b, c, & d equals e.	a. Gross wages earned this pay period b. Federal Withholding c. FICA d. Medicare e. Net disposable earnings	\$ _____ \$ _____ \$ _____ \$ _____ \$ _____
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5. If the amount shown in 3e above equals (use chart below for appropriate pay period):

WEEKLY	BIWEEKLY	SEMIMONTHLY	MONTHLY
a. \$217.50 or less NO Garnishment--Send completed answer form to court	a. \$435.00 or less NO Garnishment--Send completed answer form to court	a. \$471.25 or less NO Garnishment--Send completed answer form to court	a. \$942.50 or less NO Garnishment--Send completed answer form to court
b. More than \$217.50 but less than \$290.00: GARNISH ALL earnings above \$217.50	b. More than \$435.00 but less than \$580.00: GARNISH ALL earnings above \$435.00	b. More than \$471.25 but less than \$628.33: GARNISH ALL earnings above \$471.25	b. More than \$942.50 but less than \$1,256.67: GARNISH ALL earnings above \$942.50
c. More than \$290.00 GARNISH 25% of the earnings (3e above)	c. More than \$580.00 GARNISH 25% of the earnings (3e above)	c. More than \$628.33 GARNISH 25% of the earnings (3e above)	c. More than \$1,256.67 GARNISH 25% of the earnings (3e above)

From the chart above, enter the amount to be garnished and sent to the court \$ _____ (if none, write in "zero").

6. Are you presently satisfying an income withholding order for child support on this judgment debtor?

Yes _____ No _____. If yes, state how much it is and the estimated date your obligations under the writ or order are expected to terminate: amount _____ termination date _____.

7. District Court child support garnishments or income withholding orders take precedent over all other garnishments. If the Judgment Debtor has child support garnishment payments that exceed the amount entered in paragraph 5. above, do not garnish wages for this court, just complete the answer form and return it to the address listed above. If the child support income withholding order is for an amount less than the amount entered in paragraph 5. above, remit to the court the difference.

8. Are you presently withholding money from the Judgment Debtor's earning to satisfy a different Writ of Garnishment?

Yes _____ No _____. If yes, state the date those garnishments end: _____. If you are presently satisfying a different writ of garnishment, then it takes precedent over this one.

9. I certify that I delivered to the Judgment Debtor, a copy of the Writ of Continuing Garnishment, a Notice of Right to Object to Calculation, and a copy of this Answer at or before the time his/her earnings were paid to him/her.

DATED: _____, 20____.

Amount enclosed, if any:
\$ _____

Garnishee/Company name & Phone#

Signature

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Judgment Debtor.

NOTICE OF RIGHT TO HEARING

You, the above named judgment debtor, are hereby notified that money or property in the possession of your employer has been seized by garnishment. If you believe the money or property seized is exempt from garnishment, you may object to said garnishment and have a hearing before the Court. If you wish to contest the garnishment, you **MUST** file with the court a written objection to the garnishment within ten (10) days, excluding Saturdays, Sundays and legal holidays, from the date this Notice was given to you or from the date your wages were garnished, whichever is sooner. You may use this form or you can just write up your own objection and file it with the court. The following are some of the exemptions to which you may be entitled.

1. The money seized consists of social security benefits, veteran’s benefits, black lung benefits, aid to families with dependent children, general assistance payments, federal civil service or state retirement system benefits, worker’s compensation benefits, unemployment compensation benefits or other exemptions as provided by law.

OBJECTION TO GARNISHMENT AND REQUEST FOR HEARING:

I, the above named judgment debtor, object to the garnishment for the following reasons:

and I request that a hearing be held by the Court immediately.

DATED this ____ day of _____, 20__.

Judgment Debtor: _____ Address: _____
(SIGNATURE)

ORDER FOR HEARING

The judgment debtor having filed a Request For Hearing on the ____ day of _____, 20 ____, challenging the judgment creditor’s garnishment, NOW THEREFORE;

IT IS HEREBY ORDERED that the judgment debtor’s request for hearing be and is hereby set for hearing before the Court in (location) _____, Wyoming, on the ____ day of _____, 20 ____, at the hour of _____ o'clock in the A.M./P.M., or as soon thereafter as said cause may be reached by the Court.

DATED: _____.

BY THE COURT:

JUDGE-MAGISTRATE-COMMISSIONER-CLERK

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In an effort to respect the privacy of individuals who come before this court, and in accordance with the Rules Governing Redactions from Court Records, created by Supreme Court Order dated August 11, 2010, this court will not provide personal information of any individual, other than the last four digits of his/her social security number, taxpayer identification number or financial account number, and the year of an individual's birth. This limited information will only be provided if it is in the possession of the court.

If, in order to process this garnishment, your company needs additional information, please contact the Judgment Creditor directly at:

Name

Address

Phone number

Further, you are hereby Ordered, as the garnishee, to also limit the information you include on any documentation sent back to this court to include only the last four digits of a social security number and the year of the date of birth.