

TOLEDO MUNICIPAL COURT AFFIDAVIT & ORDER & NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS & ANSWER OF GARNISHEE

TOLEDO MUNICIPAL COURT, CIVIL DIVISION, 555 NORTH ERIE STREET, TOLEDO, OHIO 43604 (419) 936-3650

(Judgment Creditor)
Vs.

Case Number: _____

Date of Judgment: _____

(Judgment Debtor)

SSN LAST FOUR DIGITS (OPTIONAL): _____

STATE OF OHIO, COUNTY OF LUCAS, ss: The undersigned, being first duly cautioned, sworn or affirmed according to law, says that I am attorney/judgment creditor who recovered or certified a judgment in this court against above named judgment debtor. The judgment creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this Court stating that you may have money, property, or credits, other than personal earnings, in your hands or under your control that belong to the judgment debtor. A description of said property/ bank account information is:

Attorney for Judgment Creditor (Include Firm Address and Registration No.)

Signature: Judgment Creditor/Attorney

Sworn to & Subscribed before me on _____

Signature: Notary Public /Deputy Clerk

SECTION A. COURT ORDER AND NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS

TO: _____ GARNISHEE.
(PRINT BANK/GARNISHEE'S COMPLETE NAME AND ADDRESS)

The judgment creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this Court stating that you may have money, property, or credits, other than personal earnings, in your hands or under your control that belong to the judgment debtor. You are therefore ordered to complete the "ANSWER OF GARNISHEE" in section (B) of this form. Return one completed and signed copy of this form to the clerk of this court together with the amount determined in accordance with the "ANSWER OF GARNISHEE"

Deliver one completed and signed copy of this form to the judgment debtor and keep the other completed and signed copy of this form for your files.

The total probable amount now due includes the unpaid portion of the judgment in favor of the judgment creditor, which is \$_____; interest on that judgment and, if applicable, prejudgment interest relative to that judgment at the rate of _____% per annum payable until that judgment is satisfied in full; and court costs in the amount of \$_____.

You also are ordered to hold safely anything of value that belongs to the judgment debtor and that has to be paid to the court, as determined under the "ANSWER OF GARNISHEE" in section (B) of this form, but that is of such a nature that it cannot be so delivered, until further order of the court.

Witness My Hand & Seal of This Court On Today's Date _____

JUDGE TOLEDO MUNICIPAL COURT

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Case Number: _____

(Judgment Creditor)
Vs.

(Judgment Debtor)

SECTION B: ANSWER OF GARNISHEE

Now comes _____, the garnishee,
who says:

1. That the garnishee has more than \$475 in money, property, or credits, other than personal earnings, of the judgment debtor under the garnishee's control and in the garnishee's possession.

(Yes) (No) \$ _____
(If yes, amount over \$475)
2. That property is described as:
3. If the answer to line 1 is "yes" and the amount is less than the probable amount now due on the judgment, as indicated in section (A) of this form, sign and return this form and pay the amount of line 1 to the clerk of this court.
4. If the answer to line 1 is "yes" and the amount is greater than that probable amount now due on the judgment, as indicated in section (A) of this form, sign and return this form and pay that probable amount now due to the clerk of this court.
5. If the answer to line 1 is "yes" but the money, property, or credits are of such a nature that they cannot be delivered to the clerk of the court, indicate that by checking the following box: Do not dispose of that money, property, or credits or give them to anyone else until further order of the court.
6. If the answer to line 1 is "no," sign and return this form to the clerk of this court.

I certify that the statements above are true.

(Print Name of Garnishee)

(Print Name and Title of Person who Completed Form)

X _____
(Signature of Person Who Completed Form)

(Date)