

# Objections to Garnishment and Notice of Hearing

(Form MC 49)

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| <b>STATE OF MICHIGAN<br/>JUDICIAL DISTRICT<br/>JUDICIAL CIRCUIT</b> | <b>OBJECTIONS TO GARNISHMENT<br/>AND NOTICE OF HEARING</b> | <b>CASE NO.</b> |
|---|--|-----------------|

Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff's name and address (judgment creditor)

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Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name and address (judgment debtor)

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Garnishee's name and address

**OBJECTIONS TO GARNISHMENT**

I object to the garnishment issued on \_\_\_\_\_ and request a hearing on this objection because:  
Date

- a. the funds or property are exempt from garnishment by law.
- b. garnishment is precluded by the pendency of bankruptcy proceedings.
- c. garnishment is barred by an installment payment order.
- d. garnishment is precluded because the maximum amount permitted by law is being withheld under a higher priority order.
- e. the judgment has been paid.
- f. the garnishment was not properly issued or is otherwise invalid for the following reason(s): \_\_\_\_\_

I was served with a copy of the writ on \_\_\_\_\_ .  
Date

\_\_\_\_\_  
Date Signature of defendant

**NOTICE OF HEARING ON OBJECTIONS**

1. On \_\_\_\_\_ the defendant filed objections to the writ of garnishment dated \_\_\_\_\_ .  
Date

2. A hearing is scheduled on \_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_  
Date Time Location  
\_\_\_\_\_ before Hon. \_\_\_\_\_  
Judge

- 3. The defendant and plaintiff are required to appear.
- 4. The garnishee  is  is not required to appear.
- 5.  a. Objections were filed within 14 days of the defendant being served with the writ. The garnishee shall continue to withhold funds but shall **not** release withheld funds until further order of the court.
- b. Objections were filed 14 days or more after the defendant was served with the writ. The garnishee shall continue to withhold and release funds unless otherwise ordered by the court.

\_\_\_\_\_  
Date Deputy court clerk

**CERTIFICATE OF MAILING**

I certify that on this date I mailed copy of this notice to the plaintiff, garnishee, and defendant at the addresses stated above.

\_\_\_\_\_  
Date Signature