

1 **4-806**

2
3 **[1-065.2, 2-802, 3-802]**

4
5
6 STATE OF NEW MEXICO

7 IN THE _____ COURT No. _____
8 _____ COUNTY

9
10
11 _____, Plaintiff

12 against

13
14
15 _____, Defendant

16
17
18 _____
19 Garnishee

20
21 _____
22 Address

23
24
25
26
27
28
29 Balance Due Upon Application for Writ: \$ _____
30 Includes Interest at _____%
31 Through _____, 19____

32
33
34 **WRIT OF GARNISHMENT**

35
36
37 THE STATE OF NEW MEXICO to _____, garnishee.

38
39 _____ is the judgment debtor in this case
40 and owes the amount set out above to the judgment creditor
41 _____ whose address is _____.

42
43 The above judgment creditor believes that you hold or
44 control money or property which belongs to the judgment debtor.

45
46 YOU ARE ORDERED to file a written answer with the
47 _____ court located at _____ within
48 twenty (20) days from the day you receive this writ. Your
49 answer must be under oath and on the attached form (answer by

1 garnishee).

2
3
4
5 YOU ARE FURTHER ORDERED, as follows:
6

7 1. If you owe the judgment debtor any money (other than
8 wages), or become indebted to the judgment debtor before
9 filing your answer, you must keep a sufficient amount of
10 that money to satisfy the judgment and all costs and
11 attorney fees due as a result of service of this writ and
12 not pay it to the judgment debtor, unless this court enters
13 an order releasing this writ of garnishment.
14

15 2. If the judgment debtor is an employee of yours, unless the
16 debt is for child support, you shall pay the judgment
17 debtor only
18

19 A. 75% of the debtor's disposable earnings
20 (salary less social security, federal and state
21 withholdings, and any other deduction required by law)
22 for any pay period;
23

24 OR
25

26 B. Any amount each week equal to forty times
27 the federal minimum hourly wage rate;
28

29 whichever is greater.
30

31 If the debt is for child support payments, you shall pay
32 the judgment debtor 50% of the debtor's disposable earnings
33 (salary less social security, federal and state
34 withholding).
35

36 Any wages you owe the employee in excess of that amount or
37 that you may come to owe the employee in excess of that
38 amount must be kept by you until further order of this
39 court. (A table giving equivalent exemptions for pay
40 periods of other than one (1) week may be obtained from the
41 Financial Institutions Division of the Regulations and
42 Licensing Department, 725 St. Michaels Drive, Santa Fe, New
43 Mexico 87503).
44

45 3. If you have any property which belongs to the judgment
46 debtor including any rights, credits, bonds, bills, notes,
47 drafts and other rights to property or money which belongs

1 to the judgment debtor or if you acquire any such property,
2 money or rights to property or money before filing your
3 answer, you must keep a sufficient amount of that property
4 to satisfy the existing judgment and costs and not turn it
5 over to the judgment debtor unless the court enters an
6 order releasing the property or money.
7

8 4. If you hold property or money belonging to the judgment
9 debtor, within four (4) business days after service of this
10 writ you are to mail or deliver a copy of this writ and the
11 application for writ provided by the judgment creditor. If
12 you hold property or money of the judgment debtor's other
13 than wages, you shall also mail or deliver to the judgment
14 debtor, the attached notice of right to claim exemptions
15 and a copy of the attached claim of exemption forms, to
16 each person identified as a judgment debtor. You shall
17 also send or deliver a copy of your answer to this writ to
18 the judgment debtor and to the judgment creditor.
19

20 5. The court will be asked to enter an order awarding
21 \$_____ for the judgment creditor's costs relative to
22 the service of the writ of garnishment and \$_____ for
23 judgment creditor's attorney's fees in connection with the
24 writ of garnishment in addition to \$_____, the
25 "Balance Due Application for Writ."
26

27 **THIS IS A COURT ORDER.** If you fail to file the answer, or if
28 you disobey any of these orders, a judgment may be entered
29 against you for the full amount of the unpaid judgment in this
30 case.
31

32 (Seal)

Judge or clerk

33
34
35
36 **RETURN**

37
38 STATE OF NEW MEXICO)
39) ss.
40 COUNTY OF _____)
41
42

43 **RETURN FOR COMPLETION BY SHERIFF OR DEPUTY:**
44

45 I certify that I served this writ in said county on the _____
46 day of _____, 19_____, by delivering a copy
47 of the writ, a copy of the application for writ, a copy of a

1 form for answer by garnishee, a copy of a notice of right to
2 claim exemptions for each judgment debtor and a copy of the
3 claim of exemption form for each judgment debtor to
4 _____ garnishee.

5
6
7 By _____
8 Name

9
10
11 _____
12 Title

13
14
15 Fees:

16
17 SHERIFF OF _____
18 COUNTY, State of New Mexico

19
20 By _____
21 Deputy

22
23
24 **RETURN FOR COMPLETION BY OTHER PERSON MAKING SERVICE:**

25
26 I, being duly sworn, on oath, say that I am over the age of
27 eighteen (18) years and not a party to this lawsuit, and that I
28 served this writ in said county on the ____ day of
29 _____, 19____, by delivering a copy of the writ, a copy
30 of the application for writ, a copy of a form for answer by
31 garnishee, a copy of a notice of right to claim exemptions for
32 each judgment debtor and a copy of the claim of exemption form
33 for each judgment debtor to _____ garnishee.

34
35
36 By _____
37 Name

38
39 _____
40 Title

41
42 _____
43 Signature of private person
44 making service

45
46 Subscribed and sworn to before me this
47 ____ day of _____, 19____

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Judge, notary or other officer
authorized to administer Oaths

Official title

[As amended, effective June 15, 1986; January 1, 1987; July 1,
1992; January 1, 1996.]
iDBD::DB2::st execute failed: [IBM][CLI Driver][DB2/6000]
SQL0530N The insert or update value of the FOREIGN KEY
"DBUSER.BILLDETAIL.SQL980508102800170" is not equal to any value
of the parent key of the parent table. SQLSTATE=23503