AFTER JUDGMENT PACKET

Compiled by Sherry Coker

IMPORTANT – PLEASE READ

CONGRATULATIONS! You have won your Final Judgment. **Now, to collect!**

To begin collecting on your judgment, you must obtain a certified copy of the Final Judgment from the Clerk of the Court and record it in the Public Records of any county in the state in which the Defendant(s) owns real property (land). If the Defendant(s) then sells any real property that is not homestead or joint with anyone else, in other words, in his/her name only, you will have to be paid out of the proceeds of the sale, unless there are numerous creditors ahead of you.

You should also obtain a Judgment Lien by recording a Judgment Lien Certificate with the Florida Department of State. You may get this form via internet at www.sunbiz.org. You can download the form from the website or have it mailed to you. There is, or course, a filing fee for filing this lien.

Your other options for collecting on your judgment are either levy or garnishment. In order to do either, you must find out what assets the Defendant(s) (also known as Judgment Debtor) has. Enclosed in this Packet is a **FACT INFORMATION SHEET** for that purpose.

FINAL JUDGMENT WITH ENFORCEMENT PARAGRAPH:
If the Enforcement Paragraph was included in your Final Judgment, then you need to mail a copy of the Final Judgment, the Fact Information Sheet, and the **NOTICE OF COMPLIANCE**, which is enclosed in this Packet, to the Defendant(s). Also include the **NOTICE TO COMPLY**, which is also included in this Packet and which needs to be completed by you, to the Defendant(s) instructing him/her to complete the Fact Information Sheet and Notice of Compliance and file them with the Clerk of Court before the expiration of forty-five (45) days from the date of the Final Judgment. The Notice to Comply also instructs the Defendant(s) to mail copies of the Fact Information Sheet and Notice of Compliance to you. Please provide the Defendant(s) with a stamped, self-addressed envelope.

As stated in the Final Judgment, the Defendant(s) has forty-five (45) days from the date of the Final Judgment in which to supply you the information requested in the Fact Information Sheet. If the Defendant(s) does not complete the Fact Information Sheet and return it to you by the 46th day, you may prepare and file with the Clerk of the Court the **MOTION FOR CONTEMPT** enclosed in this Packet. Based on the motion, the Court will issue an **ORDER TO SHOW CAUSE**, which is enclosed in this Packet, directing the Defendant(s) to complete and file the Fact Information Sheet within thirty (30) days or be found in contempt of court. Please fill out the Caption of the Order to Show Cause and forward it with your Motion to the Court. You must supply the Court with stamped envelopes addressed to you and the Defendant(s) for mailing of the Order to Show Cause entered by the Court.

FINAL JUDGMENT WITHOUT ENFORCEMENT PARAGRAPH:
If you did not obtain the enforcement paragraph in your Final Judgment, you may complete and file with the Clerk of the Court the enclosed **MOTION FOR DISCOVERY IN AID OF EXECUTION**. The court will enter an **ORDER DIRECTING DEFENDANT TO COMPLY WITH PRODUCTION OF DOCUMENTS**, which is enclosed in this Packet, requiring the

Defendant(s) to complete the Fact Information Sheet and the Notice of Compliance, also enclosed. Please fill out the Caption of the Order Directing Defendant and forward it with your Motion to the Court. You must supply the Court with stamped envelopes addressed to you and the Defendant(s) for mailing of the order by the Court.

If the Defendant(s) fails to comply with the order you may prepare and file with the Clerk of the Court the **MOTION FOR CONTEMPT** enclosed in this Packet. Based on the motion, the Court will issue an **ORDER TO SHOW CAUSE**, which is enclosed in this Packet, directing the Defendant(s) to appear before the Court to determine whether the Defendant(s) shall be found in contempt of court or an **ORDER ADJUDICATING CONTEMPT**, which requires Defendant(s) to file said Fact Information Sheet and Notice of Compliance within thirty (30) days or be subject to arrest. Please fill out the Caption of the Order and forward them with your Motion to the Court. You must supply the Court with stamped envelopes addressed to you and the Defendant(s) for mailing of the Order entered by the Court.

BEFORE YOU DECIDE TO PROCEED WITH LEVY OR GARNISHMENT, BE SURE TO CHECK WITH THE CLERK OF THE COURT AND THE SHERIFF'S OFFICE REGARDING THEIR FEES.

Based on the information contained in the Fact Information Sheet returned to you by the Defendant(s), you may proceed to either levy on land or personal property such as cars and boats, or if there are no assets to levy against, you may garnish wages, bank accounts, and other accounts.

EXEMPT ASSETS:
Bare in mind that some assets are exempt from levy and garnishment. A few of them are: wages of head of household, Social Security benefits, disability income, veterans benefits, unemployment compensation, vehicles up to $1,000 in value, personal property up to a value of $1,000, homestead real property, personal property owned by Defendant that is jointly held, and leased property.

LEVY:
Once you have determined that there may be assets you can attempt to levy against, you must request the Clerk of the Court to issue an **EXECUTION**, which is included in this Packet. A Deputy Clerk will sign the Execution, which you must take to the Sheriff's Office, together with the enclosed **INSTRUCTIONS FOR LEVY** in which you describe the property to be levied on and where the property is located. You are responsible for all costs of levy and sale by the Sheriff. However, if the sale of the property brings sufficient money, you will be reimbursed for the costs. If there are no assets or insufficient assets to levy against, there may be assets to garnish.

SEE THE FOLLOWING BROCHURE ENTITLED "HOW DO I COLLECT A JUDGMENT" FOR MORE DETAILS ON LEVY.

GARNISHMENT:
If you locate bank accounts or other accounts that are not exempt for garnishment, you may prepare and file with the Clerk of the Court **PLAINTIFF'S MOTION FOR WRIT OF GARNISHMENT** enclosed in this Packet. Be sure to fill in the name and address of the bank, savings and loan, or credit union where the account(s) is located and a complete description of the account, including account number. At this time, you will need to pay a Filing Fee of $85.00 to the Clerk of Court, as well as a $103.00 deposit into the Court Registry for payment of

Garnishee's attorney's fee for answering the Writ of Garnishment. Please complete the caption on the enclosed **ORDER FOR WRIT OF GARNISHMENT** for the Clerk to submit to the Court. If the court enters this order, the Clerk of the Court will execute the enclosed **WRIT OF GARNISHMENT**. You will need to take the Writ to the Sheriff's Office for service on the Garnishee. The Sheriff's Office will require a fee of $40.00 for such service.

If there are no bank accounts sufficient to garnish against, but there are wages available for garnishment, you may prepare and file with the Clerk of the Court **PLAINTIFF'S MOTION FOR CONTINUING WRIT OF GARNISHMENT** enclosed in this Packet. Be sure to fill in the name and address of Defendant's employer. You will need to pay the Clerk's Fee of $85.00 and a $103.00 deposit into the Court Registry for payment of Garnishee's attorney's fee for answering the Continuing Writ of Garnishment. Please complete the caption on the enclosed **ORDER OF CONTINUING WRIT OF GARNISHMENT** for the Clerk to submit to the Court. If the court enters this order, the Clerk of the Court will execute the enclosed **CONTINUING WRIT OF GARNISHMENT**. You will then need to take the Writ, together with the **EMPLOYER'S INSTRUCTIONS AND WORKSHEET** (please complete the caption), to the Sheriff's Office for service on the Garnishee. The Sheriff's Office will require a fee of $40.00 for such service.

The Writ of Garnishment and the Writ of Continuing Garnishment shall require the Garnishee to serve an Answer to the Writ to you within 20 days after service by the Sheriff's Office stating whether they are indebted to Defendant(s) or hold assets belonging to Defendant(s), and whether they know of anyone else indebted to or holding assets of Defendant(s), or in the case of a Continuing Writ whether or not Defendant is an employee and their Answer shall further specify the periods of payment and amount of salary or wages. Service of the Writ shall make Garnishee liable for all debts due by him/her to Defendant(s) and for any tangible or intangible personal property in Garnishee's possession or control. The Garnishee shall retain any deposit, account, or tangible or intangible personal property, i.e. wages, and shall further state the name(s) and address(es) of the Defendant(s) and any other person(s) having an ownership interest in the property. Garnishee may, in their Answer, request for its attorney's fee to be paid from the deposit you made into the Court Registry.

If you, as Plaintiff, are not satisfied with Garnishee's answer, you shall serve a copy of the enclosed **REPLY** on Garnishee within twenty (20) days thereafter denying the allegations of the answer and file the original Reply with the Clerk of the Court. If you do not deny the answer, the answer shall be taken as true and the Garnishee is entitled to an order discharging him/her from further liability if they state in their Answer that they have no assets or wages belonging to Defendant(s).

If Garnishee's Answer shows it is not indebted to Defendant and does not hold any assets of Defendant(s), or Defendant(s) is no longer an employee of Garnishee, and you do not disagree with the Answer, you will need to complete and file with the Clerk of the Court the enclosed **MOTION TO DISSOLVE WRIT OF GARNISHMENT** or the **MOTION TO DISSOLVE CONTINUING WRIT OF GARNISHMENT**. The Court will then dismiss the Garnishee and dissolve the Writ. Please complete the caption of the enclosed **ORDER DISSOLVING WRIT OF GARNISHMENT** or the **ORDER DISSOLVING CONTINUING WRIT OF GARNISHMENT** and give that to the Clerk for forwarding to the Court. You then need to find out if Defendant(s) have other accounts or find out if they have a new employer and start over.

You must mail, by first class mail, a copy of the Writ of Garnishment and a copy of the Motion for Writ of Garnishment, or a copy of the Continuing Writ of Garnishment and copy of Motion

for Continuing Writ of Garnishment, and, if the Defendant is an individual, the **NOTICE TO DEFENDANT**, together with the attached **CLAIM OF EXEMPTION AND REQUEST FOR HEARING**, to the Defendant(s)' last known address within five (5) business days after the Writ is issued or three (3) business days after the Writ is served on the Garnishee, whichever is later. Be sure to fill in the caption of the Claim of Exemption form. If the mail is returned, you must mail them, by first class, to the Defendant's place of employment. You shall then prepare and file the **CERTIFICATE OF SERVICE** enclosed in this Packet.

Within five (5) days after service of Garnishee's answer to you or after the time period for Garnishee's answer has expired, you shall serve, by mail, the following documents: a copy of Garnishee's Answer and the **NOTICE PURSUANT TO F. S. SECTION 77.055** contained in this Packet to the Defendant(s) at Defendant's last known address **AND** any other address described in the Garnishee's Answer to have any ownership interest in the deposit, account, or property controlled by Garnishee.

If the Defendant(s) files a **CLAIM OF EXEMPTION AND REQUEST FOR HEARING**, a hearing will be scheduled by the Court as early as possible. If you do not file the enclosed **PLAINTIFF'S DENIAL UNDER OATH OF DEFENDANT'S AFFIDAVIT FOR EXEMPTION FROM GARNISHMENT UNDER FLORIDA STATUTE 222.12** within two (2) days after the Claim and Request were served on you by hand delivery, or alternatively seven (7) business days if the Claim and Request were served on you by mail, then no hearing will be required and the Clerk of the Court must automatically dissolve the Writ and notify all parties of the dissolution.

The Defendant(s) may obtain a dissolution of a Writ of Garnishment, unless you prove the grounds upon which the writ was issued and unless, in the case of a prejudgment writ, there is a reasonable probability that the final judgment in the underlying action will be rendered in petitioner's favor. The Defendant and any other person having an ownership interest in the property, may file and serve a motion to dissolve the garnishment within twenty (20) days after the date indicated in your Notice Pursuant to F. S. 77.055 stating that any allegation in your motion is untrue. On such motion the matter shall then be heard at a hearing. If your motion is proven to be untrue, the garnishment shall be dissolved. If Defendant(s) fails to file a motion within such time limit, then you need to complete and file the enclosed **MOTION FOR ENTRY OF FINAL GARNISHMENT JUDGMENT** or **MOTION FOR ENTRY OF CONTINUING FINAL JUDGMENT**. The Court may then enter a Final Judgment in your favor for the amount of your claim with interest and costs. Be sure to supply the enclosed **FINAL JUDGMENT OF GARNISHMENT** or the **CONTINUING FINAL GARNISHMENT JUDGMENT** to Court. Also, supply the **MEANS OF FINAL DISPOSITION** form to the Court which concludes the lawsuit.

When Garnishee has any personal property of Defendant(s) in its possession and surrenders it to the Sheriff, the Sheriff shall sell it under the Execution against Defendant. The sale by the Sheriff must be advertised in the local newspaper. If the monies raised at the sale are sufficient to pay the costs and your judgment amount, then you have done well. If not, you will be responsible for the costs of the Sheriff holding and advertising the sale.

After the Garnishee has collected all of the monies due you under the Final Garnishment Judgment, or Continuing Final Garnishment Judgment, you will need to execute either the enclosed **SATISFACTION OF FINAL GARNISHMENT JUDGMENT** or the **SATISFACTION OF CONTINUING FINAL GARNISHMENT JUDGMENT** and file it with the Clerk of the Court.

In addition, you need to prepare and record in the Public Records of the county where the judgment was originally filed a Satisfaction of Judgment, which is enclosed in the Small Claims Packet or the County Civil Packet.

THIS PACKET IS PROVIDED FOR YOUR USE BY:

HONORABLE PARKER R. HALL
COUNTY COURT JUDGE
DESOTO COUNTY, FLORIDA
115 EAST OAK STREET, SUITE 201
ARCADIA, FLORIDA 34266

HONORABLE NADIA K. DAUGHTREY
CLERK OF COURT
DESOTO COUNTY, FLORIDA
115 EAST OAK STREET
ARCADIA, FLORIDA 34266

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

FACT INFORMATION SHEET

Full Legal Name: _____
Nicknames or Aliases: _____
Residence Address: _____
Mailing Address (if different): _____
Telephone Numbers: (Home) _____ Business _____ Cell _____
Name of Employer: _____
Address of Employer: _____
Position or Job Description: _____
Rate of Pay: $_____ per _____ Average Paycheck: $_____ per _____
Average Commissions or Bonuses: $_____ per _____ Commissions or bonuses are based on: _____
Other Personal Income: $_____ from _____
(Explain details on back of this sheet or an additional sheet if necessary.)
Social Security Number: _____ Birth date: _____
Driver's License Number: _____

Marital Status: _____ Spouse's Name: _____
Spouse's Address (if different): _____
Spouse's Social Security Number: _____ Birth date: _____
Spouse's Employer: _____
Spouse's Average Paycheck or Income: $_____ per _____
Other Family Income: $_____ per _____(Explain details on back of this sheet or an additional sheet if necessary.)
Names and Ages of All Your Children (and addresses if not living with you): _____
_____Child Support or Alimony Paid: $_____ per _____
Names of Others You Live With: _____
Who is Head of Your Household? ___ You ___ Spouse ___ Other Person
Checking Account at: _____ Account #_____
Savings Account at: _____ Account #_____

(Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or an additional sheet if necessary.)

For Real Estate (land) You Own or Are Buying:
Address: _____
All Names on Title: _____
Mortgage Owed to: _____
Balance Owed: _____ Monthly Payment: $_____
(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information of any other property you own or are buyer.)
For All Motor Vehicles You Own or Are Buying:
Year/Make/Model: _____ Color: _____
Vehicle ID #: _____ Tag No: _____ Mileage: _____
Names on Title: _____ Present Value: _____
Loan Owed to: _____
Balance on Loan: $_____ Monthly Payment: $_____ (List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)
Have you given, sold, loaned, or transferred any real or personal property worth more than $100 to any person in the last year? If your answer is "yes", describe the property and sale price, and give the name and address of the person who received the property.

Does anyone owe you money? Amount Owed: $_____ Name and Address of Person Owing Money: _____
Reason money is owed: _____

Please attach copies of the following:

a. Your last pay stub.
b. Your last 3 statements from each bank, savings, credit union, or other financial account.
c. Your motor vehicle registrations and titles.
d. Any deeds of titles to any real or personal property you own or are buying, or leases to property you are renting.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

_____
Defendant(s)/Judgment Debtor(s)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____ by _____, who is personally known to me or has produced: _____ _____ as identification and who … did/did not … take an oath.
WITNESS my hand and official seal on _____, 20___.

_____
Notary Public
State of Florida

Commission expires: _____

MAIL OR DELIVER THIS FORM TO THE CLERK OF THE COURT, AND MAIL OR DELIVER A COPY OF THE COMPLETED FORM TO THE JUDGMENT CREDITOR OR THE CREDITOR'S ATTORNEY.

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

NOTICE OF COMPLIANCE

I, _____, Defendant(s) hereby give Notice to this Court that I have complied with the requirement to file a Fact Information Sheet in the above matter.

I hereby certify that I have mailed a copy of said Fact Information Sheet and a copy of this Notice of Compliance to _____, Plaintiff(s), at the address shown above on this _____ day of _____, 20___.

I understand that I am swearing or affirming under oath that the statements contained in this Notice of Compliance are true and correct to the best of my knowledge and belief. I further understand that the punishment for knowingly making a false statement or incomplete disclosure includes fines and/or imprisonment.

_____
Signature of Defendant(s)
_____
Printed Name
_____
_____
Address
_____
Telephone Number

STATE OF FLORIDA,
COUNTY OF _____.

Sworn to or affirmed and signed before me on _____ by _____.

_____
DEPUTY CLERK or NOTARY PUBLIC

_____
(Print, type, or stamp commissioned name of notary or clerk)

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

NOTICE TO COMPLY

Plaintiff(s), _____, hereby gives Notice to Defendant(s), _____, to comply with the Final Judgment entered in this matter, a copy of which is enclosed, by completing and filing with the Clerk of Court the enclosed FACT INFORMATION SHEET and NOTICE OF COMPLIANCE within forty-five (45) days from the date of said Final Judgment. In addition, you must send a copy of said documents to Plaintiff(s) in the enclosed stamped, self-addressed envelope.

Further, if you fail to produce the documents within the forty-five (45) days, the undersigned will move for a Motion to Compel for failure to comply as required by law.

I hereby certify that a copy of this Notice to Comply has been mailed to Defendant(s) at: _____.

Signed this _____ day of _____, 20___.

_____
Signature of Plaintiff(s)

_____
Printed Name

_____
_____
Address

_____
Telephone

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

MOTION FOR CONTEMPT

Plaintiff(s), _____, hereby files this Motion for Contempt against Defendant(s), _____ _____, and would show unto this Court the following:

1. A final judgment was entered against the Defendant(s) in the above matter on _____ _____, _____.

2. As a result of the final judgment not being paid by Defendant(s), Plaintiff(s) mailed a copy of the Final Judgment, a Fact Information Sheet, and a Notice of Compliance to Defendant(s) on _____, 20___.

3. Pursuant to the Enforcement Paragraph contained within the Final Judgment, Defendant(s) had forty-five (45) days from the date of said final judgment to complete and file the Fact Information Sheet and forward it to Plaintiff(s).

4. To date the Defendant(s) has not provided the Fact Information Sheet or Notice of Compliance. The Defendant(s) has had more than enough time since the date of the Final Judgment to comply.

Plaintiff(s) requests that this Court issue an Order to Show Cause directing Defendant(s) to complete and file the Fact Information Sheet, together with Notice of Compliance, within thirty (30) days from the date of Order to Show Cause.

I hereby certify that a copy of the foregoing Motion for Contempt has been mailed to Defendant(s) at _____, by U. S. Mail this _____ day of _____, 20___.

_____
Signature of Plaintiff

_____
Printed Name

_____

_____
Address

_____
Telephone Number

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

ORDER TO SHOW CAUSE

IN THE NAME OF THE STATE OF FLORIDA:

TO: _____

YOU ARE HEREBY COMMANDED TO APPEAR before this Court on _____ _____, 20___, at _____ __.M., at the Courtroom, DeSoto County Courthouse, 115 E. Oak St., Arcadia, Florida, to show cause, if any, why you should not be adjudged in contempt of court for your failure to file a Fact Information Sheet and Notice of Compliance as required by the Final Judgment entered on _____, _____, in the above matter.

ORDERED at Arcadia, DeSoto County, Florida this _____ day of _____, 20___.

_____
COUNTY COURT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument has been furnished by U. S. Mail to:
Plaintiff(s): _____, at _____
_____
and by U. S. Certified Mail, Return Receipt Requested, to:: Defendant(s): _____
_____ at: _____
this _____day of _____, 20___.

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

ORDER ADJUDICATING CONTEMPT

THIS CAUSE coming on to be heard on Plaintiff's Motion for Contempt, and the Court being fully advised in the premises, it is therefore

ORDERED AND ADJUDGED as follows:

1. That the Defendant(s), _____, is/are found to be in contempt of this Court for failure to complete and file the Fact Information Sheet and Notice of Compliance as required by the Final Judgment entered in this matter.

2. That said Defendant(s), _____, may purge himself/herself of said contempt by filing said Fact Information Sheet and Notice of Compliance within 30 days of this Order.

3. If said Defendant(s), _____, shall fail to file said Fact Information Sheet and Notice of Compliance as ordered in paragraph 2. above, this Court shall enter an ARREST ORDER directed to said Defendant(s), _____ _____, without further notice.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____ _____, 20___.

_____
COUNTY COURT JUDGE

Copies furnished this _____ day of _____, 20___, to:
Plaintiff(s)
Defendant(s)

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s).
_____/

MOTION FOR DISCOVERY IN AID OF EXECUTION

Plaintiff(s), _____, moves for an order requiring the Defendant(s), _____, to complete a Fact Information Sheet and Notice of Compliance pursuant to Florida Small Claims Rules, and further direct the Defendant(s) to file them with the Clerk of Court and mail copies to Plaintiff(s)..

Signed this _____ day of _____, 20___.

_____
Signature of Plaintiff(s)

_____
Printed Name

_____
_____
Address

_____
Telephone Number

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

ORDER DIRECTING DEFENDANT TO COMPLY WITH PRODUCTION OF DOCUMENTS

THIS CAUSE coming on to be heard before this Court and there being no need for a hearing on Plaintiff's Motion for Discovery in Aid of Execution, therefore, it is

ORDERED AND ADJUDGED as follows:

1. That Defendant(s)/Judgment Debtor shall complete and file the Fact Information Sheet and Notice of Compliance attached hereto and file same with the Clerk of Court within fourty-five (45) days of the date of this order.

2. That Defendant(s)/Judgment Debtor shall mail copies of said Fact Information Sheet and Notice of Compliance to Plaintiff(s)/Judgment Creditor immediately after filing with the Clerk of Court.

3. Defendant's/Judgment Debtor's failure to comply with this order shall be grounds for contempt.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____ _____, 20___.

_____
COUNTY COURT JUDGE

Copies furnished this ____ day of _____,
20___, to:
Plaintiff/Judgment Creditor
Defendant/Judgment Debtor

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

FACT INFORMATION SHEET

Full Legal Name: _____
Nicknames or Aliases: _____
Residence Address: _____
Mailing Address (if different): _____
Telephone Numbers: (Home) _____ Business _____ Cell _____
Name of Employer: _____
Address of Employer: _____
Position or Job Description: _____
Rate of Pay: $_____ per _____ Average Paycheck: $_____ per _____
Average Commissions or Bonuses: $_____ per _____ Commissions or bonuses are based on: _____
Other Personal Income: $_____ from _____
(Explain details on back of this sheet or an additional sheet if necessary.)
Social Security Number: _____ Birth date: _____
Driver's License Number: _____

Marital Status: _____ Spouse's Name: _____
Spouse's Address (if different): _____
Spouse's Social Security Number: _____ Birth date: _____
Spouse's Employer: _____
Spouse's Average Paycheck or Income: $_____ per _____
Other Family Income: $_____ per _____(Explain details on back of this sheet or an additional sheet if necessary.)
Names and Ages of All Your Children (and addresses if not living with you): _____
_____Child Support or Alimony Paid: $_____ per _____
Names of Others You Live With: _____
Who is Head of Your Household? ___ You ___ Spouse ___ Other Person
Checking Account at: _____ Account #_____
Savings Account at: _____ Account #_____

(Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or an additional sheet if necessary.)

For Real Estate (land) You Own or Are Buying:
Address: _____
All Names on Title: _____
Mortgage Owed to: _____
Balance Owed: _____ Monthly Payment: $_____
(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information of any other property you own or are buyer.)
For All Motor Vehicles You Own or Are Buying:
Year/Make/Model: _____ Color: _____
Vehicle ID #: _____ Tag No: _____ Mileage: _____
Names on Title: _____ Present Value: _____
Loan Owed to: _____
Balance on Loan: $_____ Monthly Payment: $_____ (List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)
Have you given, sold, loaned, or transferred any real or personal property worth more than $100 to any person in the last year? If your answer is "yes", describe the property and sale price, and give the name and address of the person who received the property.

Does anyone owe you money? Amount Owed: $_____ Name and Address of Person Owing Money: _____
Reason money is owed: _____

Please attach copies of the following:

a. Your last pay stub.
b. Your last 3 statements from each bank, savings, credit union, or other financial account.
c. Your motor vehicle registrations and titles.
d. Any deeds of titles to any real or personal property you own or are buying, or leases to property you are renting.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

_____
Defendant(s)/Judgment Debtor(s)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____ by _____, who is personally known to me or has produced: _____ _____ as identification and who … did/did not … take an oath.
WITNESS my hand and official seal on _____, 20___.

_____
Notary Public
State of Florida

Commission expires: _____

MAIL OR DELIVER THIS FORM TO THE CLERK OF THE COURT, AND MAIL OR DELIVER A COPY OF THE COMPLETED FORM TO THE JUDGMENT CREDITOR OR THE CREDITOR'S ATTORNEY.

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s).
_____/

NOTICE OF COMPLIANCE

I, _____, Defendant(s) hereby give Notice to this Court that I have complied with the requirement to file a Fact Information Sheet in the above matter.

I hereby certify that I have mailed a copy of said Fact Information Sheet and a copy of this Notice of Compliance to _____, Plaintiff(s), at the address shown above on this _____ day of _____, 20___.

I understand that I am swearing or affirming under oath that the statements contained in this Notice of Compliance are true and correct to the best of my knowledge and belief. I further understand that the punishment for knowingly making a false statement or incomplete disclosure includes fines and/or imprisonment.

_____
Signature of Defendant(s)

_____
Printed Name

_____
_____
Address

_____
Telephone Number

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s).
_____/

EXECUTION

THE STATE OF FLORIDA:
To Each Sheriff of the State:

YOU ARE HEREBY COMMANDED to levy on the goods and chattels, lands, and tenements of _____ in the sum of $_____ with legal interest thereon from _____, 20___, until paid and that you have this writ before the court when satisfied.

WITNESS my hand and the seal of the court on _____, 20___.

NADIA K. DAUGHTREY
CLERK OF THE COURTS

(SEAL)

BY:_____
Deputy Clerk

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

INSTRUCTIONS FOR LEVY

1. Plaintiff(s), _____, was awarded a Final Judgment in this case on _____, 20___, in the amount of $_____. The amount of the Judgment unsatisfied is $_____.

2. Plaintiff(s) believes that Defendant(s) owns the following property described as: _____
_____
_____
_____
_____
_____
_____
_____.
(Use additional sheet if necessary.)

3. That the above-described property is located at: _____
_____
_____
_____
_____.

Signed this _____ day of _____, 20___.

_____
Plaintiff

_____

_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

PLAINTIFF'S MOTION FOR WRIT OF GARNISHMENT

Plaintiff(s), _____, move(s) this Court to issue a Continuing Writ of Garnishment after Judgment in accordance with F. S. 77.0305 in the above stated cause and shows that said suit has been prosecuted to Final Judgment on _____, 20__; that said Judgment is unsatisfied, and that Plaintiff(s) does not believe that Defendant(s), _____, is in possession of visible property in this State and in _____ County upon which a levy can be made sufficient to satisfy the Judgment. Plaintiff(s) say(s) that the money or other thing sought to be garnished is not due for the personal labor or services of the head of a family residing in Florida.

Plaintiff(s)suggest that _____, address: _____, is indebted to said Defendant, or has effects, or property of said Defendant(s) in hand, custody or control and prays that garnishment issue, commanding _____to answer according to law in such causes made and provided.

The amount of the Judgment unsatisfied is $_____.

Signed this _____ day of _____, 20___.

_____
Plaintiff

_____

_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

ORDER ON MOTION FOR WRIT OF GARNISHMENT

THIS CAUSE came on to be heard upon Plaintiff(s) Motion for Writ of Garnishment, and the Court finds as follows:

1. A Final Judgment was entered against the above Defendant(s) on _____, 20___, in the amount of $_____.

2. The Plaintiff(s) alleges that the above Defendant(s) did not have in his/her possession visible property on which a levy can be made to sufficiently satisfy said Judgment.

3. That the above-named Garnishee, whose address is: _____ _____, holds money or other personal property owned by or belonging to the above Defendant(s).

IT IS ADJUDGED that Plaintiff(s) has the right against Defendant(s) to recover the sum of $_____ pursuant to that certain Final Judgment entered against said Defendant(s) on _____, 20___, for which the Clerk of the Court shall issue a Writ of Garnishment.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff(s)
Defendant(s)
Garnishee

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

WRIT OF GARNISHMENT

THE STATE OF FLORIDA:
TO ALL AND SINGULAR SHERIFFS OF THE STATE:

YOU ARE HEREBY COMMANDED TO SUMMON the Garnishee, _____ _____, Address: _____ _____, to serve an Answer to this Writ on Plaintiff(s), _____ _____ at _____ _____, within twenty (20) days after service on the Garnishee, exclusive of the day of service, and to file the original with the Clerk of the Court, 115 E. Oak St., Arcadia, Florida 34266, either before service on Plaintiff(s) or immediately thereafter, stating whether the Garnishee is indebted to Defendant(s), _____, at the time of the Answer or was indebted at the time of service of the Writ, or at any time between such times, and in what sum and what tangible and intangible personal property of the Defendant(s) the Garnishee is in possession or control of at the time of the answer or had at the time of service of this writ, or at any time between such times, and whether the Garnishee knows of any other person indebted to the Defendant(s) or who may be in possession or control any of the property of the Defendant(s). **The amount set in Plaintiff's Motion is $_____, plus legal interest at the rate of ___% a year from _____, the date of Final Judgment, and costs.**

WITNESS my hand and the seal of the court on _____, 20___.

NADIA K. DAUGHTREY
CLERK OF THE COURTS

(SEAL)

BY:_____
Deputy Clerk

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

PLAINTIFF'S MOTION FOR CONTINUING WRIT OF GARNISHMENT

Plaintiff(s), _____, moves this Court to issue a Writ of Continuing Garnishment against the above-named Garnishee and as grounds therefore alleges that the Plaintiff(s) obtained a Final Judgment against the Defendant(s) for the sum of $_____, including costs, on _____, 20___, and that there remains due and unpaid the sum of $_____, plus legal interest through the date of this motion at the rate of _____% per year from said judgment date in the amount of $_____ for a total amount due of $_____.

Plaintiff(s) does not believe that the Defendant(s) has in his/her possession visible property upon which a levy can be made sufficient to satisfy the said judgment. Plaintiff(s) has reason to believe that the above Garnishee has in said Garnishee's hands, possession or control goods, money, chattels or effects belonging to the Defendant(s).

Signed this _____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

ORDER ON MOTION FOR CONTINUING WRIT OF GARNISHMENT

THIS CAUSE came on to be heard upon Plaintiff(s) Motion for Continuing Writ of Garnishment, and the Court finds as follows:

1. A Final Judgment was entered against the above Defendant(s) on _____, 20___, in the amount of $_____, with legal interest at the rate of ____% per year.

2. That the legal interest that has accrued through the date of Plaintiff's motion is $_____ for a total amount due Plaintiff(s) of $_____.

3. The Plaintiff(s) alleges that the above Defendant(s) did not have in his/her possession visible property on which a levy can be made to sufficiently satisfy said Judgment.

4. That the above-named Garnishee, whose address is: _____ _____, owes salary or wages to the above Defendant(s).

5. During each pay period, a portion of Defendant's salary or wages as it becomes due shall be held and not disposed of or transferred until further order of this court in the amount as allowed by 15 U. S. Code 1673, to-wit:

25% of the Defendant's disposable earnings for the period OR the amount by which Defendant's weekly disposable earnings exceed $154.50 per week, whichever is less.

5. Garnishee may collect $5.00 against the salary or wages of the Defendant(s) for the first deduction and $2.00 for each deduction thereafter.

IT IS ADJUDGED that Plaintiff(s) has the right against Defendant(s) to recover the sum of $_____ pursuant to that certain Final Judgment entered against said Defendant(s) on _____, 20___, together with interest in the amount of $_____ through _____, 20___, for a total amount of $_____ for which the Clerk of the Court shall issue a Continuing Writ of Garnishment.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff(s)
Defendant(s)
Garnishee

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

CONTINUING WRIT OF GARNISHMENT
AGAINST SALARY OR WAGES

THE STATE OF FLORIDA:
TO ALL AND SINGULAR SHERIFFS OF THE STATE:

YOU ARE HEREBY COMMANDED TO SUMMON the Garnishee, _____ _____, Address: _____ _____, who is required to serve an Answer to this Writ on Plaintiff(s), _____ at _____ _____, within twenty (20) days after service on the Garnishee, exclusive of the day of service, and to file the original with the Clerk of the Court, 115 E. Oak St., Arcadia, Florida 34266, either before service on Plaintiff(s) or immediately thereafter. The answer shall state whether the Garnishee is the employer of Defendant(s), _____, and whether the Garnishee is indebted to the Defendant(s) by reason of salary or wages. The Garnishee's answer shall specify the periods of payment (for example, weekly, biweekly, or monthly) and amount of salary or wages and be based on the Defendant's earnings for the pay period during which this writ is served on the Garnishee.

During each pay period, a portion of the Defendant's salary or wages as it becomes due shall be held and not disposed of or transferred until further order of this court. The amount of salary or wages to be withheld for each pay period shall be made in

accordance with the following paragraph. This writ shall continue until the Plaintiff's judgment is paid in full or until otherwise provided by court order.

Federal law (15 U.S.C. § 1671 – 1673) limits the amount to be withheld from salary or wages to no more than 25% of any individual defendant's disposable earnings (the part of earnings remaining after the deduction of any amounts required by law to be deducted) for any pay period or to no more than the amount by which the individual's disposable earnings for the pay period exceed 30 times the federal minimum hourly wage, whichever is less.

For administrative costs, the Garnishee may collect $5.00 against the salary or wages of the Defendant(s) for the first deduction and $2.00 for each deduction thereafter.

The amount of the Final Judgment outstanding as set out in the Plaintiff's motion is $_____, together with interest in the amount of $_____ through _____, 20___, for a total amount of $_____. Plaintiff(s) is also entitled to collect legal interest from _____, 20___, to the date of payment in full for judgment.

FAILURE TO FILE AN ANSWER WITHIN THE TIME REQUIRED MAY RESULT IN THE ENTRY OF JUDGMENT AGAINST THE GARNISHEE FOR THE ABOVE TOTAL AMOUNT OF $_____.

WITNESS my hand and the seal of the court on _____, 20___.

NADIA K. DAUGHTREY
CLERK OF THE COURTS

(SEAL)

BY:_____
Deputy Clerk

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

EMPLOYER'S INSTRUCTIONS AND WORKSHEET

(UPON COMPLETION, RETURN TO THE ABOVE NAMED COURT, TOGETHER WITH YOUR ANSWER TO THE CONTINUING WRIT OF GARNISHMENT SERVED UPON YOU)

The garnishment restrictions of Title III of the Consumer Credit Protection Act (15 U.S.C. of 1673) provide that no court of the United States or any state may make, execute or enforce any order or process which provides for the garnishment of the aggregate disposable earning of any individual for any workweek in an amount which is in excess of the lesser of the following restrictions:

(1) 25% of the individual's disposable earning for the workweek, or;

(2) The amount by which his disposable earnings for that week exceed 30 times the minimum wage under section 6(a)(1), of the Fair Labor Standards Act of 1938 [29 U.S.C. 206(a)(1)] which is presently $5.15 an hour.

"DISPOSABLE EARNINGS" means that part of the earnings of any individual remaining after the deductions from these earnings of any amounts required by law to be withheld.

Enter earnings of the Defendant, your employee, after deductions required by law, for the previous pay period (use the particular pay period of the employee; that is, WEEKLY, BI-WEEKLY, SEMI-MONTHLY or MONTHLY.

A. If your employee is paid on WEEKLY basis and receives:

$0 - $154.50	pay him as if his check were not garnished
$154.51 - $206.00	pay him $154.50
More than $2.06.00	pay him 75% of his disposable earnings

Amount of disposable earning retained by employer: $_____

B. If your employee is paid on a BI-WEEKLY basis and receives:

$0 - $309.00	pay him as if his check were not garnished
$309.01 - $412.00	pay him $309.01

More than $412.00 pay him 75% of his disposable earnings
Amount of disposable earning retained by employer: $_____

C. If your employee is paid on a SEMI-MONTHLY basis and receives:
$0 – 334.76 pay him as if his check were not garnished
$334.77 - $446.35 pay him $3334.77
More than $446.35 pay him 75% of his disposable earnings
Amount of disposable earning retained by employer: $_____

D. If your employee is paid on a MONTHLY basis and receives:
$0 - $669.44 pay him as if his check were not garnished
$669.45 - $829.59 pay him $669.45
More than $892.59 pay him 75% of his disposable earnings
Amount of disposable earning retained by employer: $_____

Enter total amount of disposable earnings retained from employee's disposable income under (2) A,B,C, or D and return this form to the Court $_____

PLEASE NOTE:

YOU MUST REPORT ALL MONIES DUE FROM YOU TO THE DEFENDANT. However, this Writ is subject to limitations contained in Title 15, U.S.Code Annotated, Section 1671-1677, which prohibits this court from making, executing or enforcing any garnishment process that requires the withholding, for payment of any debt, of more than 25% of an individual's disposable earnings (the part of the earnings remaining after the deduction of any amounts required by law to be withheld) for any workweek, or more than the amount by which the individual's disposable earnings for a workweek exceed $100.50, whichever is less.

No employer may discharge any employee by reason of the fact that his earnings have been subjected to garnishment for only one indebtedness. The term "one indebtedness" refers to a single debt, regardless of the number of levies made or creditors seeking satisfaction. Whoever willfully violates the discharge provisions of this law may be prosecuted criminally and fined up to $1,000.00 or imprisoned for not more than one year, or both.

If salary or wages are to be garnished, the Garnishee shall be allowed to collect up to $5.00 against the salary or wages of the Defendant as reimbursement for administrative costs for the first deduction from the Defendant's salary or wages, and up to $2.00 for each deduction thereafter.

Information regarding the Federal Wage Garnishment Law may be obtained from any office of the Wage and Hour Division, U.S.Department of Labor:
DEPARTMENT OF LABOR WAGE & HOUR & PUBLIC CONTRACTS DIVISION
118 EAST MAIN STREET
LEESBURG, FLORIDA 34748

U. S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION
WASHINGTON, D.C. 20210

SO THAT YOU MAY OBTAIN LEGAL ADVICE, THE PLAINTIFF HAS DEPOSITED $100.00 WITH THE COURT TO COVER THE ATTORNEY'S FEE FOR FILING YOUR ANSWER.

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

REPLY

Plaintiff(s), _____, hereby denies the allegations in Garnishee's Answer because _____
_____
_____.

I hereby certify that a true copy of this Reply has been furnished to the above Garnishee, _____, at _____
_____.

Signed this ____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

MOTION TO DISSOLVE WRIT OF GARNISHMENT

Plaintiff(s), _____, move this Court for an order dissolving the Writ of Garnishment entered on _____, 20___, and shows the Court that the Garnishee is not indebted to the Defendant(s).

Signed this _____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

ORDER DISSOLVING WRIT OF GARNISHMENT

THIS CAUSE came before the Court upon Plaintiff's Motion to Dissolve Writ of Garnishment filed by the Plaintiff herein against the Garnishee, _____ _____, and the Garnishee having filed its Answer, and the Court being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. That the Writ of Garnishment entered on _____, 20___, against the Garnishee is hereby dissolved.

2. That the sum of $100.00 deposited by Plaintiff(s) for the Garnishee's attorney's fee for filing an Answer to the Writ of Garnishment, be paid to Garnishee's attorney, _____ _____, by the Clerk of the Court.

3. That the Garnishee, _____, is hereby discharged from any further liability under the above Writ of Garnishment.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff
Garnishee

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

MOTION TO DISSOLVE CONTINUING WRIT OF GARNISHMENT

Plaintiff(s), _____, move this Court for an order dissolving the Writ of Garnishment entered on _____, 20___, and shows the Court that the Defendant is no longer an employee of Garnishee.

Signed this _____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

Plaintiff

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

ORDER DISSOLVING CONTINUING WRIT OF GARNISHMENT

THIS CAUSE came before the Court upon Plaintiff's Motion to Dissolve Continuing Writ of Garnishment filed by the Plaintiff herein against the Garnishee, _____, and the Garnishee having filed its Answer, and the Court being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. That the Continuing Writ of Garnishment entered on _____, 20___, against the Garnishee is hereby dissolved.

2. That the Garnishee, _____, is hereby discharged from any further liability under the above Writ of Garnishment.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff
Garnishee

NOTICE TO DEFENDANT(S) OF RIGHT AGAINST GARNISHMENT OF WAGES, MONEY & OTHER PROPERTY

The Writ of Garnishment delivered to you with this Notice means that wages, money, and other property belonging to you have been garnished to pay a court judgment against you. HOWEVER, YOU MAY BE ABLE TO KEEP OR RECOVER YOUR WAGES, MONEY, OR PROPERTY, READ THIS NOTICE CAREFULLY.

State and federal laws provide that certain wages, money, and property, even if deposited in a bank, savings and loan, or credit union, may not be taken to pay certain types of court judgments. Such wages, money, and property are exempt from garnishment. The major exemptions are listed below on the form for Claim of Exemption and Request for Hearing. This list does not include all possible exemptions. You should consult a lawyer for specific advice.

TO KEEP YOUR WAGES, MONEY, AND OTHER PROPERTY FROM BEING GARNISHED, OR TO GET BACK ANYTHING ALREADY TAKEN, YOU MUST COMPLETE A FORM FOR CLAIM OF EXEMPTION AND REQUEST FOR HEARING AS SET FORTH BELOW AND HAVE THE FORM NOTARIZED. YOU MUST FILE THE FORM WITH THE CLERK'S OFFICE WITHIN 20 DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE OR YOU MAY LOSE IMPORTANT RIGHTS. YOU MUST ALSO MAIL OR DELIVER A COPY OF THIS FORM TO THE PLAINTIFF(S) AND THE GARNISHEE AT THE ADDRESSES LISTED ON THE WRIT OF GARNISHMENT.

If you request a hearing, it will be held as soon as possible after your request is received by the court. The Plaintiff(s) must file any objection within 2 business days if you hand delivered to the Plaintiff(s) a copy of the form for Claim of Exemption and Request for Hearing or, alternatively, 7 days if you mailed a copy of the form for claim and request to the Plaintiff(s). If the Plaintiff(s) file(s) an objection to your Claim of Exemption and Request for Hearing, the Clerk will notify you and the other parties of the time and date of hearing. You may attend the hearing with or without an attorney. If the Plaintiff(s) fail(s) to file an objection, no hearing is required, the writ of garnishment will be dissolved and your wages, money or property will be released.

YOU SHOULD FILE THE FORM FOR CLAIM OF EXEMPTION IMMEDIATELY TO KEEP YOUR WAGES, MONEY, OR PROPERTY FROM BEING APPLIED TO THE COURT JUDGEMENT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED LEGAL ASSISTANCE YOU SHOULD SEE A LAWYER.

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

CLAIM OF EXEMPTION AND REQUEST FOR HEARING

I claim exemptions from garnishment under the following categories as checked:

___ 1. Head of family wages. (You must check a. or b. below.)
___ a. I provide more than one-half of the support for a child or other dependent and have net earnings of $500 or less per week.
___ b. I provide more than one-half of the support for a child or other dependent, have net earnings of more than $500 per week, but have not agreed in writing to have my wages garnished.
___ 2. Social Security benefits.
___ 3. Supplemental Security Income benefits.
___ 4. Public assistance (welfare).
___ 5. Workers' Compensation.
___ 6. Unemployment Compensation.
___ 7. Veterans' benefits.
___ 8. Retirement or profit-sharing benefits or pension money.
___ 9. Life insurance benefits or cash surrender value of a life insurance policy or proceeds of annuity contract.
___ 10. Disability income benefits.
___ 11. Prepaid College Trust Fund or Medical Savings Account.
___ 12. Other exemptions as provided by law. _____
_____(explain)

I request a hearing to decide the validity of my claim. Notice of the hearing should be given to me at:
Address:_____
Telephone Number:_____

The statements made in this request are true to the best of my knowledge and belief.

_____
Defendant's signature
Date: _____

STATE OF FLORIDA,
COUNTY OF _____.

Sworn and subscribed to before me this _____ day of _____, 20___, by _____.

_____
Notary Public/Deputy Clerk

____ Personally known OR
____ Produced identification
Type of identification produced:_____

_____
Plaintiff

_____

_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that Plaintiff(s), _____ _____, did on the _____ day of _____, 20___, by U. S. Mail, serve a copy of the motion for Writ of Garnishment, a copy of the garnishment writ, a Claim of Exemption and Request for Hearing, a copy of Garnishee's answer in this cause, and a notice pursuant to F. S. Section 77.055 upon the Defendant(s), _____.

Signed this ____ day of _____, 20___.

_____
Plaintiff

_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

NOTICE PURSUANT TO F. S. 77.055

Plaintiff(s), _____, pursuant to F. S. Section 77.055, hereby gives notice to Defendant(s), _____ _____, that he/she must move to dissolve the Writ of Garnishment or Writ of Continuing Garnishment within twenty (20) days after the date indicated on the Certificate of Service in the Notice if any allegation in the Plaintiff's motion is untrue.

Signed this ____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

PLAINTIFF'S DENIAL UNDER OATH
OF DEFENDANT AFFIDAVIT FOR EXEMPTION FROM GARNISHMENT
UNDER FLORIDA STATUTE §222.12

STATE OF FLORIDA,
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared Plaintiff(s), _____, who, after being duly sworn, states that:

1. Pursuant to Florida Statute §222.12, Plaintiff(s) hereby denies under oath the facts set forth in Defendant's Affidavit for Exemption dated _____, 20___.

2. This Denial is being filed within two (2) days of service of the Affidavit for Exemption.

FURTHER AFFIANT(S) SAYETH NOT.

_____
Plaintiff

Sworn to and subscribed before me this _____ day of _____, 20___.

_____
Notary Public/Deputy Clerk

___ Personally known OR
___ Produced identification
Type of identification produced:_____

I hereby certify that a true and correct copy of this denial was furnished by mail to:

_____

_____

by U. S. Mail this ____ day of _____, 20___.

_____
Plaintiff

_____

_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

MOTION FOR ENTRY OF FINAL GARNISHMENT JUDGMENT

COME NOW, the Plaintiff(s), _____, and move(s) this court for entry of a final garnishment judgment against the Garnishee and as grounds thereof states:

1. That Final Judgment was entered in this cause on _____, 20___, for which execution issued.

2. On _____, 20___, Plaintiff filed a Motion for Writ of Garnishment in this cause, and the Clerk of this Court issued a Writ of Garnishment on _____, 20___.

3. The Garnishee, _____, filed its answer of Garnishee stating that they are holding assets consisting of _____
_____
_____
in the name of _____.

WHEREFORE, Plaintiff(s) move(s) this court for entry of Final Garnishment Judgment for $_____.

Signed this _____ day of _____, 20___.

_____
Plaintiff

_____

_____
Address
Phone: _____

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to:

_____

_____

_____

by U. S. Mail this _____ day of _____, 20___.

_____
Plaintiff

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

FINAL GARNISHMENT JUDGMENT

THIS CAUSE came on for hearing on Plaintiff's Writ of Garnishment, the Garnishee having filed its answer admitting that it is indebted to the Defendant(s) herein at the time of the service of said Writ and the filing of its answer, and the Court having considered the matter, together with the entire record, and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. That judgment be, and the same is hereby entered in favor of the Plaintiff(s), _____, and against the Garnishee, _____ _____, in the sum of $_____.

2. That the Garnishee, _____, be, and the same is hereby directed to pay within ten (10) days from date hereof the sum of $_____ to the order of Plaintiff(s), _____.

3. A reasonable attorney's fee is taxed in this cause in the amount of $100.00, and the Clerk of the Court is directed to remit said amount to the Garnishee's attorney, _____.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff(s)
Defendant(s)
Garnishee

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor(s),

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)Judgment Debtor(s),

_____
_____
_____
(Name and Address)
Garnishee.
_____/

MOTION FOR ENTRY OF
CONTINUING FINAL GARNISHMENT JUDGMENT

COME NOW, the Plaintiff(s), _____, and move(s) this court for entry of a final continuing garnishment judgment against the Garnishee and as grounds thereof states:

1. That Final Judgment was entered in this cause on _____, 20___, for which execution issued.

2. On _____, 20___, Plaintiff filed a Motion for Writ of Continuing Garnishment in this cause, and the Clerk of this Court issued a Continuing Writ of Garnishment on _____, 20___.

3. The Garnishee, _____, filed its answer of Garnishee stating that the Defendant(s) is an employee of Garnishee and that they owe salary or wages to said Defendant(s).

WHEREFORE, Plaintiff(s) move(s) this court for entry of Final Continuing Garnishment Judgment for $_____.

Signed this _____ day of _____, 20___.

_____
Plaintiff

_____

_____
Address
Phone: _____

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to:

_____

_____

_____

by U. S. Mail this _____ day of _____, 20___.

_____
Plaintiff

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor,

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor,

_____
_____
_____
(Name and Address)
Garnishee.
_____/

CONTINUING FINAL GARNISHMENT JUDGMENT

THIS CAUSE came on for hearing on Plaintiff's Continuing Writ of Garnishment for Salary or Wages, the Garnishee having filed its answer, and the Court finding that Plaintiff has served proper notice and neither the Plaintiff(s) nor the Defendant(s) have filed a reply or objection, and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. That the Garnishee, _____, shall pay to the Plaintiff(s), _____, the amount hereto withheld pursuant to Continuing Writ of Garnishment and to continue to withhold from the wages of the Defendant(s), _____, and to pay to Plaintiff(s) such further amounts as are allowed by 15 U. S. Code 1673, to-wit:

25% of the Defendant's disposable earning for the period OR
the amount by which Defendant's weekly disposable earnings
exceed $154.50 per week, whichever is less

and shall furnish the Court with a Garnishment Accounting Sheet (or payroll records with the same information) each time funds are withheld, and shall continue to do so until the sum of $_____, together with simple interest at the rate of ____% from _____ _____, 20___, and post-judgment costs of $_____, is paid or until further

order of this Court. **The Garnishee is directed** to notify the Court and the Plaintiff in writing upon the termination of Defendant's employment.

2. That the Clerk of the Court pay to Garnishee, _____ _____, the $100.00 deposited into the Registry of the Court for Garnishee's attorney's fee.

3. PLAINTIFF SHALL FURNISH: (1) THE GARNISHEE WITH A SATISFACTION of judgment in Garnishment when the judgment, including all costs and interest, is paid in full **or** when the Defendant's employment is terminated, and (2) the Defendant with a Satisfaction of Judgment when the judgment, including all costs and interest, is paid in full; and Plaintiff shall advise the Court in writing of compliance with this paragraph.

DONE AND ORDERED at Arcadia, DeSoto County, Florida, this _____ day of _____, 20___.

_____
COUNTY JUDGE

Copies furnished to:
Plaintiff(s)
Defendant(s)
Garnishee

_____
Judicial Assistant

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor,

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor,

_____
_____
_____
(Name and Address)
Garnishee.
_____/

MEANS OF FINAL DISPOSITION (Place an X in one box only)

[ ] Dismissed Before Hearing
[ ] Dismissed After Hearing
[ ] Disposed by Default
[ ] Disposed by Judge
[ ] Disposed by Non-Jury Trial
[ ] Disposed by Jury Trial
[ ] Other: FINAL GARNISHMENT JUDGMENT

Signed this _____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor,

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)/Judgment Debtor,

_____
_____
_____
(Name and Address)
Garnishee.
_____/

SATISFACTION OF FINAL GARNISHMENT JUDGMENT

KNOW ALL MEN BY THESE PRESENTS:

That Plaintiff(s), _____, does hereby acknowledge the payment in full by Defendant, _____ _____. The Final Garnishment Judgment entered in this cause on _____ _____, 20___, for the sum of $_____, is hereby satisfied of record.

Signed this ____ day of _____, 20___.

_____
Plaintiff

_____
_____
Address
Phone: _____

STATE OF FLORIDA,
COUNTY OF _____.

BEFORE ME, the undersigned authority, personally appeared _____ _____, who first being duly sworn says that he/she is the

Plaintiff in the above-captioned action and that he/she did execute the foregoing Satisfaction of Continuing Final Garnishment Judgment.

WITNESS my hand and official seal this _____ day of _____, 20___.

_____
Notary Public

IN THE COUNTY COURT IN AND FOR DESOTO COUNTY, FLORIDA

_____
_____
_____
(Name and Address)
Plaintiff(s)/Judgment Creditor,

vs. CASE NO. _____

_____
_____
_____
(Name and Address)
Defendant(s)Judgment Debtor,

_____
_____
_____
(Name and Address)
Garnishee.
_____/

SATISFACTION OF CONTINUING FINAL GARNISHMENT JUDGMENT

KNOW ALL MEN BY THESE PRESENTS:

That Plaintiff(s), _____, does hereby acknowledge the (**check one**) ____ separation from employment of Defendant, _____, OR ____ payment in full by Defendant, _____. The Continuing Final Garnishment Judgment entered in this cause on _____, 20___, for the sum of $_____, is hereby satisfied of record.

Signed this ____ day of _____, 20___.

_____
Plaintiff
_____
_____
Address
Phone: _____

STATE OF FLORIDA,
COUNTY OF _____.

BEFORE ME, the undersigned authority, personally appeared _____ _____, who first being duly sworn says that he/she is the Plaintiff in the above-captioned action and that he/she did execute the foregoing Satisfaction of Continuing Final Garnishment Judgment.

WITNESS my hand and official seal this _____ day of _____, 20___.

_____
Notary Public