

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

*

* Amount of Judgment \$ _____

Plaintiff(s)

*

vs.

* Case No. _____

* Chapter _____

Defendant(s)

*

*

[Enter name and address of parties above]

WRIT OF GARNISHMENT OF PROPERTY OTHER THAN WAGES

TO THE GARNISHEE: _____
Address: _____

YOU ARE HEREBY DIRECTED to hold, subject to further proceedings, any property of the Defendant/Judgment Debtor in your possession at the time of service of this Writ and all property of the Judgment Debtor that may come into your possession after service of this Writ, including any debt owed the Judgment Debtor, whether immediately payable or unmatured. In addition to those mentioned in the Notice on Garnishment of Property, other FEDERAL AND STATE EXEMPTIONS MAY BE AVAILABLE.

YOU ARE HEREBY NOTIFIED that YOU MUST FILE A WRITTEN ANSWER in the Office of the Clerk of this Court within thirty (30) days after service of this Writ on you. The answer shall admit or deny that the garnishee is indebted to the judgment debtor or has possession of property of the judgment debtor and shall specify the amount and nature of any debt and describe any property. The garnishee may assert any defense that the garnishee may have to the garnishment as well as any defense that the debtor could assert. Failure to file a written answer may result in YOUR BEING HELD IN CONTEMPT. (Note: You may use the Answer of Garnishee of Property form on the Court's website at www.mdb.uscourts.gov.)

TO THE JUDGMENT DEBTOR:

YOU ARE HEREBY NOTIFIED of the right to contest the Garnishment BY FILING A WRITTEN MOTION asserting a defense or objection, in the Office of the Clerk of this Court, U.S. Courthouse, _____ . You are further notified that FEDERAL AND STATE EXEMPTIONS MAY BE AVAILABLE to you (see the Notice on Garnishment of Property attached and the Answer of Judgment Debtor Form on the Court's website at www.mdb.uscourts.gov).

TO PERSON SERVING WRIT:

Promptly after service upon the Garnishee, the person making service shall mail a copy of the Writ to the Judgment Debtor's last known address. Proof of service and mailing shall be filed with the Court promptly, pursuant to Maryland Rule 3-126.

Date Issued

Mark A. Neal _____
Clerk
Deputy Clerk:

NOTICE ON GARNISHMENT OF PROPERTY

TO GARNISHEE:

The Garnishee shall file an answer within 30 days after service of the Writ. The answer shall admit or deny that the Garnishee is indebted to the Judgment Debtor or has possession of property of the Judgment Debtor and shall specify the amount and nature of any debt and describe any property. The Garnishee may assert any defense that the Garnishee may have to the garnishment, as well as any defense that the Judgment Debtor could assert. After answering, the Garnishee may pay any garnished indebtedness to the Court and may deliver to the sheriff any garnished property, which shall be treated as if levied upon by the sheriff. A Garnishee who has filed an answer admitting indebtedness to the Judgment Debtor or possession of property of the Judgment Debtor is not required to file an amended answer solely because of an increase in the Garnishee's indebtedness to the Judgment Debtor or the Garnishee's receipt of additional property of the Judgment Debtor.

If the Garnishee fails to file a timely answer, the Judgment Creditor may proceed pursuant to Maryland Rule 3-509 for a judgment by default against the Garnishee. If a Garnishee files a timely answer, the matters set forth in the answer shall be treated as established for the purpose of the garnishment proceeding unless the Judgment Creditor files a reply contesting the answer within 30 days after its filing. If a timely reply is not filed, the Court may enter the judgment upon request of the Judgment Creditor, the Judge Debtor, or the Garnishee. If a timely reply is filed to the answer of the Garnishee, the matter shall proceed as if it were an original action between the Judgment Creditor as Plaintiff and the Garnishee as Defendant and shall be governed by the rules applicable to civil actions.

TO JUDGMENT DEBTOR:

As a result of the judgment entered against you, the bank, or other person holding your money or property has been ordered by the Court to hold your money or property subject to further order of the Court. You may be entitled to claim an exemption of all or part of your money or property, but in order to do so you must file a motion with the court as soon as possible. If you do not file a motion within 30 days of when the Garnishee was served, your property may be turned over to the Judgment Creditor. You may include in your motion a request for a hearing. If you file a motion under Maryland Rule 3-643(c)(2) claiming an exemption and request a hearing, a hearing shall be held promptly.

You have the right under Courts and Judicial Proceedings Article § 11-504 of the Annotated Code of Maryland to claim an exemption of certain kinds of personal property such as: wearing apparel, books, tools, instruments, or appliances in an amount not to exceed \$5,000 in value necessary for the practice of any trade or profession except those kept for sale, lease, or barter; money payable in the event of sickness, accident, injury, or death of any person including compensation for loss of future earnings (however, disability income benefits are not exempt if the judgment is for necessities contracted for after the disability is incurred); professionally prescribed health aids for the debtor or dependent of the debtor; debtor's interest not to exceed \$1,000 in value in household furnishings, household goods, wearing apparel, appliances, books, animals kept as pets, and other items that are held for the personal, family, or household use of the debtor or any dependent of the debtor. **IN ADDITION, WITHIN 30 DAYS AFTER THE DATE OF SERVICE OF THE WRIT OF GARNISHMENT ON THE BANK OR OTHER PERSON HOLDING YOUR MONEY OR PROPERTY, YOU MAY ELECT TO EXEMPT A TOTAL OF \$6,000.** (This exemption does not apply to an attachment before judgment.)

You may be entitled to claim an exemption under Maryland law of certain money such as Social Security disability benefits; Supplemental Security Income benefits; annuity payments based on retired or retainer pay from the Armed Forces; Civil Service retirement and disability funds; annuities to widows and surviving dependent children of judges; federal worker's compensation; and federal retirement pensions. **YOU MAY ALSO BE ENTITLED TO PROTECT OTHER MONEY OR PROPERTY NOT MENTIONED ABOVE. TO PROTECT YOUR RIGHTS FULLY, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER.**