

**AFFIDAVIT, ORDER AND NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN
PERSONAL EARNINGS AND ANSWER OF GARNISHEE**

**STATE OF OHIO
COUNTY OF MONTGOMERY, SS:**

MIAMISBURG MUNICIPAL COURT
CIVIL DIVISION
10 N. First Street, Miamisburg, OH 45342

JUDGMENT CREDITOR
-VS-

Case No. _____

Exec No. _____

JUDGMENT DEBTOR

(The debt collector is attempting to collect a debt and any information obtained will be used for that purpose.)

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The undersigned, being first duly cautioned and sworn, affirmed according to law, says that I am the Judgment Creditor herein/ Attorney or Agent for Judgment Creditor herein (cross out one), and that said Judgment Creditor heretofore, to-wit on the ____ day of _____, 2____, duly recovered a judgment before this Court against said Judgment Debtor.

AMOUNT NOW DUE \$ _____.

The affiant has a reasonable basis to believe that the person named in the affidavit as the garnishee _____ may have property other than personal earnings of the Judgment Debtor that is not exempt under the laws of this state or the United States.

DESCRIPTION OF PROPERTY: _____

ATTORNEY FOR JUDGMENT CREDITOR

Sworn to and subscribed before me
This _____ day of _____,
2 ____.

NOTARY PUBLIC

SECTION A: COURT ORDER AND NOTICE OF GARNISHMENT

TO: _____ GARNISHEE

The Judgment Creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this court stating that you have money, property, or credits, other than personal earnings, in your hands or under your control that belong to the Judgment Debtor, and that some of the money, property, or credits may not be exempt from garnishment under the laws of the State of Ohio or the laws of the United States. 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" by the following date on which a hearing is tentatively scheduled relative to this Order of Garnishment. Deliver one completed and signed copy of this form to the judgment debtor prior to that date. Keep the other completed and signed copy of this form for your files.

The Total Probable Amount now due on this judgment is \$ _____.

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 are also 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 and the seal of this court this _____ day of _____, 2____.

JUDGE

SECTION B. ANSWER OF GARNISHEE

Now comes _____, the garnishee, who says:

1. That the garnishee has more than \$425 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 \$425

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 placing an "X" in this space: _____. 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)

(Date)

Signed _____
(Signature of Person Completing Form)