

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

_____,
Plaintiff,

v.

No. _____

_____,
Defendant.

APPLICATION FOR WRIT OF GARNISHMENT

_____ the judgment creditor, states:

(1) The judgment creditor has a judgment dated _____ against the judgment debtor whose name is _____, and whose last known address is _____. The total of the principal, interest, costs and attorney's fees awarded by the judgment was \$_____.

Since the judgment was entered, additional interest at the judgment rate of _____ % and costs totals \$_____.

Payments totaling \$_____ have been received.

The unpaid balance now due is \$_____ (*insert this amount on Rule 4-806 as "Balance Due upon Application for Writ"*) plus interest from the date this Application is executed. Under the statute, costs of 10% and fees of up to 10% may be allowed.

The estimated costs would equal \$_____ ; and the judgment creditor will seek \$_____ in attorney fees.

(2) Judgment debtor, to my knowledge, does not have sufficient property within New Mexico subject to execution to satisfy the judgment. (*This allegation is not necessary prior to garnishment of funds for child support or alimony obligations.*)

(3) I have reason to believe, and do believe, that the garnishee, _____ (*name of garnishee*) _____ (*address*), holds or controls money or personal property which belongs to the judgment debtor or is indebted to the judgment debtor. The money or property held by the garnishee is not exempt from garnishment.

Therefore, judgment creditor requests a Writ of Garnishment.

Date

Judgment creditor or attorney for judgment creditor

Judgment creditor or attorney name (*print*)

Address of judgment creditor or attorney (*print*)

City, state and zip code (*print*)

Telephone number of judgment creditor or attorney

AFFIDAVIT

(Application must be sworn to unless signed by an attorney.)

Subscribed and sworn to before me this _____ day of _____, _____

Notary or other officer authorized to administer oaths

(seal)