

# GARNISHMENT AFFIDAVIT

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_  
Plaintiff

## Affidavit and Praecipe for Summons in Garnishment [In Aid of Execution]

vs.

\_\_\_\_\_  
Defendant

\_\_\_\_\_, being duly sworn says; the creditor in this action,  
\_\_\_\_\_, recovered a judgment against the debtor,  
\_\_\_\_\_, on \_\_\_\_\_, \_\_\_\_\_; that the  
debtor's last known address is \_\_\_\_\_; that there is now  
due on the judgment the sum of \$ \_\_\_\_\_, plus \$ \_\_\_\_\_ interest, and \$ \_\_\_\_\_  
costs, for a total of \$ \_\_\_\_\_. I have good reason to and do believe that this sum is based upon  
a judgment that: (check one.)

- \_\_\_\_\_ A. **is not for** the support of a person, and the judgment debtor **is** the head of a family.\*
- \_\_\_\_\_ B. **is not for** the support of a person, and the judgment debtor **is not** the head of a family.\*
- \_\_\_\_\_ C. **is for** the support of a person, the judgment debtor **is** supporting a spouse or dependent child, and this support order **is not for** payments more than 12 weeks in arrears.\*\*
- \_\_\_\_\_ D. **is for** the support of a person, the judgment debtor **is** supporting a spouse or dependent child, and this support order **is for** payments more than 12 weeks in arrears.\*\*
- \_\_\_\_\_ E. **is for** the support of a person, the judgment debtor **is not** supporting any other spouse or dependent child, and this support order **is not for** payments more than 12 weeks in arrears.\*\*
- \_\_\_\_\_ F. **is for** the support of a person, the judgment debtor **is not** supporting any other spouse or dependent child, and this support order **is for** payments more than 12 weeks in arrears.\*\*

I further say that I have a good reason to and do believe that the garnishee, \_\_\_\_\_  
\_\_\_\_\_, has property of and is indebted to the judgment debtor. Further  
Affiant says not.

\_\_\_\_\_  
Judgment Creditor/Attorney

\_\_\_\_\_  
Phone

Signed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(Seal)

# PRAECIPE

**To the Clerk of Court:**

Please issue Summons in Garnishment upon the following garnishee: \_\_\_\_\_

\_\_\_\_\_, at \_\_\_\_\_

in the aforementioned entitled case.

\_\_\_\_\_  
Judgment Creditor/Attorney

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Address

\_\_\_\_\_ Service by certified mail.

\_\_\_\_\_ Service by sheriff, constable, or authorized person.

\* Section 25-1558(4)(d), N.R.S.: **Head of a family** shall mean an individual who actually supports and maintains one or more individuals who are closely connected with him [or her] by blood relationship, relationship by marriage, by adoption, or by guardianship, and whose right to exercise family control and provide for the dependent individuals is based upon some moral or legal obligation.

Restrictions defined in 15 U.S.C., Section 1673(a). See Instructions.

\*\* Restrictions defined in 15 U.S.C., Section 1673(b). See Instructions.

This form is provided as a public service but should be reviewed by your attorney. Effective January 1, 1994.