

United States Bankruptcy Court, District of Colorado U.S. Custom House, 721 – 19 <sup>th</sup> Street Denver, Colorado 80202-2508	COURT USE ONLY
Plaintiff(s)/Petitioner(s):  v.  Defendant(s)/Respondent(s):	
Judgment Creditor's Attorney or Judgment Creditor (Name and Address):  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____  Division _____ Courtroom _____
<b>WRIT OF GARNISHMENT – JUDGMENT DEBTOR OTHER THAN NATURAL PERSON</b>	

Judgment Debtor's name, last known address, other identifying information: \_\_\_\_\_

- |   |      |  |
|---|------|--|
| 1. Original Amount of Judgment Entered _____ (date)                 | \$   |  |
| 2. Plus any Interest Due on Judgment ( _____ % per annum)           | + \$ |  |
| 3. Taxable Costs (including estimated cost of service of this Writ) | + \$ |  |
| 4. Less any Amount Paid   | - \$ |  |
| 5. Principal Balance/Total Amount Due and Owing                     | = \$ |  |

I affirm that I am authorized to act for the Judgment Creditor and this is a correct statement as of \_\_\_\_\_ (date).  
 Subscribed under oath before me on \_\_\_\_\_ (date)

Print Judgment Creditor's Name \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
 Notary Public or Deputy Clerk

My Commission Expires: \_\_\_\_\_

By: \_\_\_\_\_  
 Signature (Type Name, Title, Address and Phone)

### WRIT OF GARNISHMENT

**THE PEOPLE OF THE STATE OF COLORADO** to the Sheriff of any Colorado County, or to any person 18 years or older and who is not a party to this action:

You are directed to serve a copy of this Writ of Garnishment upon \_\_\_\_\_, Garnishee, with proper return of service to be made to the Court.

**TO THE GARNISHEE:**

**YOU ARE HEREBY SUMMONED AS GARNISHEE IN THIS ACTION AND ORDERED:**

- a. To answer the following questions under oath and file your answers with the Clerk of the Court (AND to mail a completed copy with your answer to the Judgment Creditor or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you. **YOUR FAILURE TO ANSWER THIS WRIT WITH NOTICE MAY RESULT IN THE ENTRY OF A DEFAULT AGAINST YOU.**
- b. To hold pending court order any personal property owed to or owned by the Judgment Debtor and in your possession or control on the date and time this Writ was served upon you.

**YOU ARE NOTIFIED:**

- a. This Writ of Garnishment applies to all personal property owed to or owned by the Judgment Debtor and in your possession or control as of the date and time this Writ was served upon you.
- b. In no case may you withhold any personal property greater than the amount on Line 5 on the front of this Writ unless the personal property is incapable of being divided.
- c. \* **IF you are** ordered to pay funds to the Court, tender your check for the amount ordered **PAYABLE TO THE CLERK OF THE** \_\_\_\_\_, COURT AT 721 19<sup>th</sup> St., Denver, CO 80202-2508.

CLERK OF THE COURT  
 Kenneth S. Gardner

By Deputy Clerk: \_\_\_\_\_  
 Date: \_\_\_\_\_

**QUESTIONS TO BE ANSWERED BY GARNISHEE**

**Judgment Debtor's Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

The following questions **MUST** be answered by you under oath:

- a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Judgment Debtor or did you owe any rents, payments, obligations, debts or moneys to the Judgment Debtor?  
 **YES**     **NO**
  
- b. If **YES**, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages if necessary): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
- c. Do you claim any setoff against any property, debt or obligation listed above?  
 **YES**     **NO**
  
- d. If you answered **YES** to question c, describe the nature and amount of the setoff claimed:  
 (Attach additional pages if necessary): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I affirm that I am authorized to act for the Garnishee and the above answers are true and correct.

Subscribed under oath before me on \_\_\_\_\_ (date)

Name of Garnishee (Print) \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 \_\_\_\_\_

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

My Commission Expires: \_\_\_\_\_

Name of Person Answering (Print) \_\_\_\_\_  
 Signature of Person Answering \_\_\_\_\_

## RETURN OF SERVICE

**Judgment Debtor's Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served a copy of this Writ of Garnishment on \_\_\_\_\_ (name of party) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location:

**By (Check one):**

- By handing it to a person identified to me as \_\_\_\_\_ (name of garnishee).
- By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of garnishee) as provided for in C.R.C.P. 4(e).
- I attempted to serve \_\_\_\_\_ (name of garnishee) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).
- I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.

- Private process server
- Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Process Server

\_\_\_\_\_  
Name (Print or type)

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. **Note: Not required for service by a sheriff or deputy.**

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Clerk