

**TO ANY LAWFUL OFFICER TO EXECUTE AND RETURN:**

You are hereby commanded to take from the property of

\_\_\_\_\_ including in property listed below, the sum of

\_\_\_\_\_ plus costs and interest thereon, as itemized, to satisfy a judgment obtained by the plaintiff(s) in the General Sessions Court of Roane County, Tennessee.

You are further commanded to pay such monies, when collected, into the Court and you shall make return as to how you have executed this writ within the time allowed by law.

Description of Property:

**FOR OFFICER**

Came to hand same day issued and executed as follows:

- ( ) By serving a garnishment on the person(s) listed below:
- ( ) By levying this execution on the property listed below.

Served on/received by:

Served this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Sheriff/Deputy

BANK LEVY  LEVY   
EXECUTION and GARNISHMENT

**CIVIL DIVISION  
COURT OF GENERAL SESSIONS  
ROANE COUNTY, TENNESSEE**

DOCKET No. \_\_\_\_\_

To: \_\_\_\_\_  
Garnishee

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

PLAINTIFF V.S.

DEFENDANT

Credits.....\$ \_\_\_\_\_  
Judgment.....\$ \_\_\_\_\_  
Interest.....\$ \_\_\_\_\_  
Clerk's Fees.....\$ \_\_\_\_\_  
Warrant Fee .....\$ \_\_\_\_\_  
Data Process .....\$ \_\_\_\_\_  
Serving Roane County.....\$ \_\_\_\_\_  
Serving out of County.....\$ \_\_\_\_\_  
Total.....\$ \_\_\_\_\_

Date of Judgment \_\_\_\_\_

Issued this \_\_\_\_\_  
**ANN GOLDSTON, Clerk**

BY \_\_\_\_\_ D.C.

WHITE—EMPLOYER COPY  
CANARY—SHERIFF'S COPY

PINK—EMPLOYEE COPY  
GOLDENROD—COURT COPY

**AFFIDAVIT FOR SHERIFF**

I, \_\_\_\_\_ Deputy Sheriff after being duly sworn, make oath that:

A garnishment summons was served on \_\_\_\_\_, garnishee, on \_\_\_\_\_, 20\_\_\_\_, and that the garnishee refused to sign a receipt acknowledging service of said summons.

A copy of the execution by levy was mailed or delivered in person to the judgment debtor at the address provided by the judgment creditor.

\_\_\_\_\_ D.S.

\_\_\_\_\_ Notary

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

**AFFIDAVIT FOR EXECUTION**

Having first been duly sworn according to law. I hereby make oath that the following information is true to the best of my knowledge and belief:

Judgment Creditor's Address for Mailing Notices Required by TCA, Title 26, Section 2:

Judgment Debtor's Last Known Address:

By: \_\_\_\_\_

Judgment Creditor/Agent

Sworn to and subscribed before me on \_\_\_\_\_, 20\_\_\_\_

Deputy Clerk / Notary Public

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

**NOTICE TO EMPLOYER**

Contact an attorney if you have questions about answering garnishments.

TO \_\_\_\_\_, GARNISHEE

A. By virtue of this execution by garnishment of writ of attachment. In my hands and issued in this the above styled cause, YOU ARE HEREBY COMMANDED to answer in person or by mail within TEN (10) days after such salary, wages or income becomes due the defendant or appear in person before the General Sessions Court of Roane County, Tennessee and answer as garnishee the following questions upon oath:

- (1) The gross amount of money earned by the defendant during the pay period to the time of service of this garnishment.
- (2) The total amount of social security and withholding taxes incurred during the pay period at the time of service of this garnishment.
- (3) The net amount due the defendant, which net amount shall be deemed to be the gross amount less social security and withholding taxes. No assignment, payroll savings plan or other agreement shall be deemed to reduce the net amount due for the purpose of this section.
- (4) The net amount due the defendant from any other salaries, wages or income, including any amounts deducted under any payroll savings plan or agreement.
- (5) Whether you had in your possession or under your control any property debts, or affects belonging to said defendant, at the time of serving the notice, or at the time of answering, or at the time between the date of service and the time fixed herein for answering; and if so, the kind and amount.
- (6) Whether there are to your knowledge or belief any and what property, debts, and affects in the possession or under the control of any other, and what person; and you will answer such other questions as may be put to you by the Court for the judgment or attaching creditors as may lend to, elicit the information sought.
- (7) Based upon the statements and certification of the defendant, we have calculated the amount of such funds exempt from execution and garnishment by applying either the Federal law or the Tennessee law (but not both) for the total net amount due the debtor computed by combining the amounts shown in items 3 and 4 above.
- (8) Such other questions appearing on or attached to the original execution put to you by the court of the judgment creditor as may lend to elicit the information sought.

NOTICE : Although you have a longer time in which to answer the court concerning this garnishment, you must do the following on the same day you receive this garnishment or on the next working day: Determine if you possess or control money or property of the judgment debtor. If so, within that same time period, you shall furnish a copy of the garnishment summons and Notice to Judgment Debtor by mailing them first class, postage prepaid, To the judgment debtor's last known address as shown by your records, or by actual delivery to the debtor. If the address shown by our records differs from the address shown at the bottom of the Notice to Judgment Debtor, you shall also mail a copy of the garnishment and notice to the latter address.

**GENERAL INFORMATION**

Minimum Exemption:

Weekly .....	\$154.50
Bi-weekly .....	\$309.00
Semi-monthly .....	\$334.73
Monthly .....	\$669.50

An individual is entitled to an exemption of either 75% of net disposable earnings or the exemption listed above for the appropriate pay period, whichever will give the greatest exemption, plus an additional exemption of \$2.50 each week for each dependent child under the age of 16 years, who is a resident of Tennessee.

The employer (the garnishee) must complete the following if there are qualifying dependent children:

This garnish certifies that this employee has \_\_\_\_\_ dependent children under the age of 16 years who are residents of the State of Tennessee.

**GARNISHMENT WITHHOLDING CALCULATION**

- (A) What is the total gross pay before any deductions? \$ \_\_\_\_\_
- (B) How much is deducted from pay for social security federal income tax and child support? \$ \_\_\_\_\_
- (C) Subtract (B) from (A) to get the amount of disposable earnings. \$ \_\_\_\_\_
- (D) For wages that are paid:
 

once every week,	enter	\$217.50
once every two weeks,	enter	\$435.00
two times per month, enter \$471.25		
once per month, enter \$942.50	\$	_____
- (E) Subtract (D) from ©. If (E) is more than \$0.00 go on to (F) \$ \_\_\_\_\_
- (F) Divide (C) by 4. \$ \_\_\_\_\_
- (G) Enter the lesser of (E) or (F) \$ \_\_\_\_\_
- (H) Enter the # Children under sixteen living in Tennessee. \$ \_\_\_\_\_
- (I) Multiply (H) by:
 

\$2.50, if paid weekly		
\$5.00, if	paid	bi-weekly
\$5.42, if paid semi-monthly		
\$10.03, if paid monthly.	\$	_____
- (J) Subtract (I) from (G). This is the amount of wages to withhold and pay into the court. If this amount is \$0.00 or less, nothing should be withheld. \$ \_\_\_\_\_

**ANSWER OF GARNISHEE FOR DEBTS OTHER THAN SALARIES OR WAGES**

As of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 Garnishee is holding the sum of \$ \_\_\_\_\_  
 Subject to this levy, being held to court order or being paid into court.

YOU ARE FURTHER NOTIFIED AND REQUIRED to pay debt due by you, or to become due, to said defendant and to retain possession of all property of the defendant, EXCEPT as to earnings in excess of the amount to be retained by this garnishment. This lien shall continue as to subsequent earnings until the total amount due upon the judgment and cost is paid or satisfied. OR until the expiration of the employer's payroll period immediately prior to SIX (6) CALENDAR MONTHS after service of the execution, whichever occurs first. A lien obtained hereunder shall have priority over any subsequent liens obtained hereunder. Subsequent execution shall be effective for the successive calendar month periods in the order in which they are served.

YOU ARE REQUIRED TO WITHHOLD THE GARNISHMENT AMOUNT, OR PART THEREOF, FROM THE EMPLOYEE'S WAGES AND TO PAY THESE MONIES TO THE COURT NOT LESS THAN ONE TIME EACH CALENDAR THIRTY (30) DAYS. YOU ARE LIABLE FOR FAILURE TO WITHHOLD FROM THE EMPLOYEE'S WAGES AND FOR FAILURE TO PAY THESE MONIES TO THE COURT. TO ENSURE PROPER CREDIT, INCLUDE THE DEFENDANT'S NAME AND THE DOCKET NUMBER ON THE PAYMENT AND MAIL TO:

NAME: ANN GOLDSTON,  
 Clerk General Sessions Court

ADDRESS: 200 E. Race Street  
 Kingston, Tennessee 37763

TELEPHONE: (865) 376-5584

Nothing due to employee

No longer employed

Other \_\_\_\_\_

I certify under penalty of perjury that the above information is true and correct.

\_\_\_\_\_  
 Garnishee/Employer

You are required under Tennessee law to furnish the Notice to the Debtor upon receiving it.

Contact your attorney if you have questions about answering garnishments.