

# **Motion to Set Aside Order for Installment Payments**

(Form MC 16)

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT</b>	<b>MOTION TO SET ASIDE ORDER FOR INSTALLMENT PAYMENTS</b>	<b>CASE NO.</b>
---------------------------------------------------------------------	---------------------------------------------------------------	-----------------

Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff's name and address (judgment creditor)

Defendant's name and address (judgment debtor)

v

Plaintiff's attorney, bar no., address, and telephone no.

Judgment entered: \_\_\_\_\_

Amount of judgment (including costs): \$ \_\_\_\_\_

1. I state that a judgment was entered in this case against defendant and that on \_\_\_\_\_  
Date

this court entered an order allowing the judgment to be paid in installments. The defendant has failed to pay the installments

as agreed: \_\_\_\_\_  
Explain

2. A writ of garnishment for periodic payments, issued on \_\_\_\_\_, was suspended on  
Date

\_\_\_\_\_ according to court rule.  
Date

3. **I ask** this court to set aside the order for installment payments. I understand if a hearing is not requested by the defendant within 14 days from the date this motion is mailed, the payment order may be set aside.

\_\_\_\_\_  
Plaintiff's signature

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date

Notary public, State of Michigan, County of \_\_\_\_\_

**CERTIFICATE OF MAILING**

I certify that on this date a copy of this motion was served on the parties/attorneys indicated above by ordinary mail.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**NOTICE TO DEFENDANT**

If you do not request a hearing with the court within 14 days from the mailing of this motion, an order setting aside installment payments will be entered without further notice.

**Instructions to Plaintiff:** The motion must be completed in full. If the writ of garnishment was for periodic payments, provide the date the garnishment was issued and the date the garnishment was suspended. You are responsible for serving the motion.