

# Objections to Garnishment and Notice of Hearing

(Form MC 49)

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT</b>	<b>OBJECTIONS TO GARNISHMENT AND NOTICE OF HEARING</b>	<b>CASE NO.</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff's name, address, and telephone no. (judgment creditor)
Plaintiff's attorney, bar no., address, and telephone no.

**v**

Defendant's name, address, and telephone no. (judgment debtor)
Garnishee's name and address

**OBJECTIONS TO GARNISHMENT**

I object to the garnishment issued on \_\_\_\_\_ and request a hearing on this objection because  
Date

- a. the funds or property are exempt from garnishment by law.
- b. garnishment is precluded by the pendency of bankruptcy proceedings.
- c. garnishment is barred by an installment payment order.
- d. garnishment is precluded because the maximum amount permitted by law is being withheld under a higher priority order.
- e. the judgment has been paid.
- f. the garnishment was not properly issued or is otherwise invalid for the following reason(s): \_\_\_\_\_

I was served with a copy of the writ on \_\_\_\_\_  
Date

\_\_\_\_\_  
Date Signature of defendant

**NOTICE OF HEARING ON OBJECTIONS**

1. On \_\_\_\_\_ the defendant filed objections to the writ of garnishment dated \_\_\_\_\_  
Date
2. A hearing is scheduled on \_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_  
Date Time Location
- \_\_\_\_\_ before Hon. \_\_\_\_\_
3. The defendant and plaintiff are required to appear.
4. The garnishee  is  is not required to appear.
5.  a. Objections were filed within 14 days of the defendant being served with the writ. The garnishee shall continue to withhold funds but shall **not** release withheld funds until further order of the court.
- b. Objections were filed 14 days or more after the defendant was served with the writ. The garnishee shall continue to withhold and release funds unless otherwise ordered by the court.

\_\_\_\_\_  
Date Deputy court clerk

**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this objection and notice on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

\_\_\_\_\_  
Date Signature