

STATE OF INDIANA
COUNTY OF ADAMS
STATE OF INDIANA

IN THE ADAMS SUPERIOR COURT

CASE NUMBER 01D01-_____

vs.

Defendant

MOTION FOR PROCEEDINGS SUPPLEMENTAL

Comes now the victim in this action whose name is _____ (hereinafter referred to as “victim”) and petitions the Court and says:

1. Victim owns a restitution judgment obtained in this Court in this action against the defendant for restitution;
2. Victim has no cause to believe that execution against the defendant will satisfy the judgment;
3. Victim believes that the defendant has wages, assets, income profits or other non-exempt property which can be applied to the satisfaction of said restitution judgment.
4. Defendant has wages, assets, income, profits or other non-exempt property, due or to become due from garnishee defendant, which, together with all other property of the defendant, exceeds the amount exempt from execution.

WHEREFORE, Victim prays as follows:

- (1) That an order issue requiring the defendant;
 - (a) To appear in this Court at a designated time and to answer as to any non-exempt property which can be applied to the satisfaction of said restitution judgment;
 - (b) To answer as to wages, assets, profits, income or other non-exempt property which he/she has or which from time to time he/she may have, due and owing from the garnishee defendant.
- (2) That an order issue requiring garnishee defendant to appear in Court personally or answer interrogatories under oath concerning the wages, assets, income, profits, or other non-exempt property, due or to become due, to said judgment defendant, and return same to this Court on or before the date set out in said interrogatories;
- (3) That the Court, after a hearing, issue an appropriate order to apply said property towards the judgment pursuant to statute.

I affirm, under the penalties for perjury, that the foregoing representations are true.

Date: _____.

Victim/Attorney for Victim

STATE OF INDIANA
COUNTY OF ADAMS
STATE OF INDIANA

IN THE ADAMS SUPERIOR COURT
CASE NUMBER 01D01-_____

vs.

Defendant

ORDER TO APPEAR IN COURT

The victim, _____, having shown to the Court by verified motion that the victim is the owner of a restitution judgment obtained in this Court against the defendant on _____, 20_____, in the amount of \$_____.

And the Victim having moved the Court for an order requiring the defendant to appear in this Court and answer as to his/her wages, assets, profits and other non-exempt property subject to satisfaction of this judgment.

THE COURT NOW ORDERS the defendant, _____, to appear personally in this Court on _____, 20_____ at _____m. to answer as to his/her wages, assets, property and income.

Ordered this _____ day of _____, 20_____.

Patrick R. Miller, Judge
Adams Superior Court

STATE OF INDIANA
COUNTY OF ADAMS

IN THE ADAMS SUPERIOR COURT
CASE NUMBER 01D01-_____

STATE OF INDIANA
vs.

_____Defendant

and _____
Garnishee Defendant

INTERROGATORIES

1. State the correct name of your company or partnership? _____

2. Does your company or partnership have an employee, partner, independent contractor or corporate officer at the present time by the name of the above named defendant? _____
3. Please state the position held by the defendant. _____
4. If the defendant is no longer employed by you, what is the name of the defendant's current employer? _____
5. What is the defendant's residence address? _____
6. Please state the LAST FOUR (4) DIGITS of the Social Security Number of the defendant.
xxx-xx-_____
7. State the average weekly gross income paid by your company to the defendant. \$_____
8. Does the defendant draw or receive any other wages, bonuses, salary, commissions, rebates, profits or income from you other than those listed above? _____
9. Please state whether or not there are any garnishment orders at this time in effect with your company against the defendant, and if so, state the case numbers, amounts and approximate amount being withheld weekly. _____

10. Does the defendant own any interest in your company or are there any debts due to the defendant by your company? If so, please identify. _____

I affirm, under the penalties for perjury that the foregoing representations are true to the best of my knowledge and belief.

Dated: _____

Signature

Printed name & title/position with Garnishee Defendant

Telephone number

PLEASE RETURN THE INTERROGATORIES ON OR BEFORE _____
to Adams Superior Court, 112 South 2nd Street, PO Box 189, Decatur, IN 46733.

NOTICE: I.C. 34-25-3-3 provides that the Garnishee Defendant is accountable for monies in his hand and/or payable to Defendant from the date of service of these interrogatories.