

VS. NO. _____ * NEW IBERIA CITY COURT
* PARISH OF IBERIA
* STATE OF LOUISIANA

SUPPLEMENTAL GARNISHMENT PROCEEDINGS

The supplemental petition of _____, with
respect represents that:

1.

Petitioner, _____, in the above entitled and numbered
cause, has applied for a writ of fieri facias therein against the defendant, _____
_____ and has reason to believe that _____
has property or effects in his possession or under his control belonging to defendant, or
is indebted to defendant.

WHEREFORE, petitioner prays that the said _____
be cited to answer under oath the annexed interrogatories, and after due proceedings,
condemned to pay to petitioner the amount of said writ of fieri facias.

O R D E R

Considering the foregoing supplemental petition,

LET _____ be made garnishee herein and ordered
to answer under oath categorically and in writing the interrogatories annexed to the
above petition within fifteen (15) days from service of this order.

OFFICIALLY at New Iberia, Iberia Parish, Louisiana, this _____ day of
_____, 20____.

JUDGE THEODORE M. "TREY" HAIK, III

SIGNATURE OF PLAINTIFF

Please Serve:

VS. NO. _____

*

NEW IBERIA CITY COURT

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PARISH OF IBERIA

*

STATE OF LOUISIANA

GARNISHMENT INTERROGATORIES

Pursuant to LSA -- C.C.P. arts. 2412 and 2413, and LSA - R.S. 13:3924, please answer the following interrogatories, under oath and in writing, within fifteen days of service:

1. Is the defendant presently employed by you? If yes, what is the rate at which, and the times when, the defendant is paid? If no, on what date was the defendant's employment terminated, and where and by whom is the defendant presently employed?
2. At the time of service of these interrogatories did you have under your control any money, rights, credits, accrued wages, or other property, which were not exempt by law from seizure, belonging to the defendant? If so, what is the description and the amount of the money, rights, credits, accrued wages, or other property?
3. Were there any prior claims or garnishments affecting the defendant's assets at the time of service of these interrogatories? If so, what was the date of service on you of each such levy or garnishment, the title and number of the suit, the amount then due, and the balance remaining due?
4. Does the defendant owe any money to you as his/her employer? If so, state the date the debt was incurred, the amount of it, the payments which have been made to date, the balance now due, the manner in which the debt is being liquidated, and all other facts connected with the debt.
5. Does the defendant work for you on a commission basis? If so, state the terms of the employment, how the commission is calculated, the average amount of each commission payment, and the dates on which settlements are made with the defendant.

NAME: _____

Sworn and subscribed before
me, this _____ day of

TITLE: _____

_____, _____.

PHONE# _____

NOTARY PUBLIC

EMAIL: _____

ADDRESS: _____

STATEMENT OF ACCOUNT

PLAINTIFF: _____
DEFENDANT: _____
DEFENDANT'S SOCIAL SECURITY NO. _____
JUDGMENT COURT: _____
DOCKET NO. _____
DATE OF COMPUTATION: _____

AMOUNT CURRENTLY DUE

PRINCIPAL: _____
INTEREST AS OF THIS DATE: _____
COURT COSTS: _____
ATTORNEY'S FEES: _____
6% MARSHAL'S COMMISSION: _____

EMPLOYMENT VERIFICATION

EMPLOYER: _____
ADDRESS: _____
TELEPHONE NO. _____

I certify that the foregoing Statement of Account is accurate and correct as of _____

CREDITOR

* EMPLOYER PLEASE NOTE:

This statement is intended to assist you in complying with the garnishment pending. The actual amount will generally be more than the sums shown due to additional interest and court costs. YOU MUST VERIFY PAYOFF WITH CREDITOR, NOT THE COURT, PRIOR TO DISCONTINUING DEDUCTIONS!!

NEW IBERIA CITY COURT

VS. DOC NO. _____

PARISH OF IBERIA

STATE OF LOUISIANA

FILED: _____

DEPUTY CLERK

GARNISHMENT INFORMATION SHEET

Upon being served with the attached garnishment papers, within 10 days, answer the interrogatories and return to:

NEW IBERIA CITY COURT
457 E MAIN ST, ROOM 206
NEW IBERIA, LA 70560

Begin withholding immediately, effective as of date you were served with the attached garnishment papers, and:

- I. Contact a lawyer for any legal advice which you need. The Marshal's office and the Clerk's office cannot give legal advice to persons needing such. These instructions are provided only to give you a general overview of the employer's rule in a garnishment in an effort to minimize the number of phone calls that the Marshal's office and the clerk's office receive.
2. Withhold 25% of the disposable earnings that you now owe to the employee, and withhold 25% of all disposable earnings that the employee may hereinafter earn from you, provided that no deductions shall be made which would reduce the disposable earnings of the employee below the sum of \$154.50 or less if paid weekly; nor shall the employee's disposable earnings in any case be reduced below thirty times the Federal Minimum hourly wages prescribed by Section 6 (a)(1) of the Fair Labor Standards Act of 1938, in effect at the time the earnings are payable.

***Disposable earnings** are those earnings of the employee that remain after the deduction of any amounts required by law to be withheld.

3. Release the affected funds (everything accumulated from date of service on the registered agent of the employer with the petition for garnishment) UPON RECEIPT of the "JUDGMENT AGAINST GARNISHEE", which will be served upon you just as this Petition for Garnishment has been. DO NOT remit funds until this Judgment has been served on the registered agent of the employer!
4. Make all checks payable to: NEW IBERIA CITY MARSHAL
457 E MAIN ST, ROOM 205
NEW IBERIA, LA 70560

**** On check and/or include defendant's (employee's) name and Suit Number**

NEW IBERIA CITY COURT

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FILED: _____

DEPUTY CLERK

JUDGMENT AGAINST GARNISHEE

The Court considering the interrogatories propounded and the answer of the garnishee to be in favor thereof, and the law and the evidence being in favor thereof.

IT IS ORDERED, ADJUDGED AND DECREED that there be judgment herein in favor of the plaintiff, _____ and against the garnishee, _____, ordering payment to the _____ of deductions from the wages, salary, commission, and other compensation of the defendant herein, _____, such deductions to be at the rate of 25% of his aggregate disposable compensation at each time that he is paid, and to be paid over as herein ordered at each time that he is paid, provided that no deductions shall be made which would reduce the disposable earnings of the defendant below ONE HUNDRED FIFTY-FOUR AND 50/100 DOLLARS (\$154.50) per week, nor shall his disposable earnings in any case be reduced below thirty times the Federal Minimum hourly wage prescribed by Section 6 (A) (1) of the Fair Labor Standards Act of 1938 in effect at the time the earnings are payable, and provided further that, upon giving written notice filed with the officer to whom payments are to be made that the defendant has left his employ, the garnishee shall be relieved of all further liability and discharged herein. Except as herein otherwise provided, deductions and payments shall continue until satisfaction of the writ of fieri facias issued herein, in the sum of:

"Disposable earnings" in this judgment means that part of defendant's earnings remaining after deduction of any amounts required by law to be withheld.

This judgment shall be effective for purpose of computing deductions from the date of service upon the garnishee of the petition for garnishment and interrogatories.

IT IS FURTHER ORDERED that upon the filing into the record of this proceeding by City Marshal, the Sheriff, or his deputy, an affidavit stating that the sums due under this garnishment judgment, by his calculations, have been fully paid, this garnishment shall be released and the garnishee shall be relieved of his obligation under this garnishment judgment and shall be so notified by the Court.

JUDGMENT SIGNED in Chambers this _____ day of _____, 20 ____.

JUDGE