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Janet Zidon

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In the District Court of Utah
Third Judicial District
Salt Lake County
Court Address: 450 South State Street, Salt Lake City, UT 84111

UTAH STATE TAX COMMISSION
Plaintiff/Petitioner

v.

ARNOLD MORRIS
aka: ARNOLD MORRIS
3334 S 3200 W
SALT LAKE CITY UT 84119-2626
Defendant/Respondent

**Writ of Continuing Garnishment and
Instructions for Earnings**

Case Number: 106942239

Judge: SANDRA PEULER

For more information about writs of garnishment, go to the court's website at:
<<http://www.utcourts.gov/howto/civil/>>

To:

~~CRYSTAL~~ KRISTEL
REDMAN VAN & STORAGE CO
2571 W 2590 S
SALT LAKE CTY UT 84119-1985

- (1) Under the Utah State Code, the judgment creditor should have included with this Writ of Garnishment a fee to you. If the fee was not included, sign here and return the forms to the judgment creditor.

Signature: _____

- (2) A judgment has been entered against the judgment debtor . After calculation of penalty, interest, costs and payments, the judgment debtor owes \$476.18. Papers filed with the court show that you may possess or control some of the judgment debtor's property. (Property includes real and personal property. Property includes money, including earnings not yet paid.) The Property is being garnished (seized) in order to pay the judgment. If you are the Garnishee (holder of the property), you are required to take certain steps to deliver the property or to hold and protect it. You may be held liable if you fail to do so. You should keep for your records a copy of everything that you prepare and everything that is served on you.
- (3) The judgment debtor is:
Name: **ARNOLD MORRIS**
Address: **3334 S 3200 W, SALT LAKE CITY, UT 84119-2626**
Tax Account Number: **528231112**
- (4) Within 7 business days after this writ is served on you, you must:
- (A) answer the attached interrogatories;
 - (B) serve a copy of your Answers to Interrogatories on the judgment creditor;
 - (C) serve a copy of the following papers on the judgment debtor and on any other person shown by your records to have an interest in the property. The papers to be served are:
 - one copy of this Writ of Continuing Garnishment;
 - one copy of your Answers to the Interrogatories;
 - one copy of the Notice of Garnishment and Exemptions form; and
 - two copies of the Reply and Request for Hearing form.
- (5) You may serve the judgment creditor, the judgment debtor and any other person by hand delivery or by first class mail. The address of the judgment creditor is 210 North 1950 West, Salt Lake City, UT 84134
- (6) This Writ of Continuing Garnishment is effective for 120 calendar days after the date on which it was served on you or 120 calendar days after the date of the expiration of an earlier writ, whichever is later. Within 7 business days after the close of each pay period occurring within those 120 days you must:
- (A) answer the attached interrogatories;
 - (B) serve a copy of your Answers to Interrogatories on the judgment creditor the judgment debtor and on any other person shown by your records to have an interest in the property.

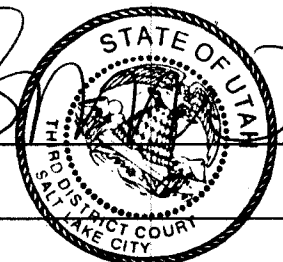
- (7) What to do with the property:
- (A) **DO NOT SEND THE PROPERTY TO THE COURT.** You are to withhold from the judgment debtor the amount shown in your Answers to Interrogatories. You are to hold the amount for 20 calendar days after you serve the judgment debtor, but you may pay to the defendant the balance of his or her wages.
 - (B) If you do not receive from the judgment debtor a Reply and Request for Hearing within 20 days after serving the judgment debtor, you are to deliver the property to the plaintiff (Utah State Tax Commission, 210 North 1950 West, Salt Lake City, UT, 84134). You are then and there relieved from any liability unless it is shown that your Answers to the Interrogatories are incorrect.
 - (C) If you do receive a Reply and Request for Hearing, you must hold the property until you receive further orders from the court directing you how to proceed.
- (8) If you fail to take these steps, the court may hold you liable for the value of the property you should have withheld.
- (9) You may deliver to the judgment debtor any property greater than you are required to withhold.
- (10) Multiple Writs of Garnishment for the same judgment debtor may be served on you, but only one Writ of Garnishment may be in effect at one time. You must satisfy the writs in the order in which they are served. When an earlier Writ of Garnishment expires or is satisfied, you must then satisfy the next writ. However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first. Also, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues indefinitely until fully satisfied, placing earlier writs on hold. These instructions do not apply to writs or orders entered by other courts or governmental agencies:

Date

5/18/12

Clerk of Court

By



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Mark Shurtleff, Bar # 4666
Attorney General
Attorneys for the Plaintiff
210 N 1950 W
Salt Lake City, UT 84134-7100
Telephone: 801-297-6274
801-366-0375

In the District Court of Utah
Third Judicial District
Salt Lake County
Court Address: 450 South State Street, Salt Lake City, UT 84111

UTAH STATE TAX COMMISSION
Plaintiff/Petitioner

Application for Writ of Garnishment

v.

Case Number: 106942239

ARNOLD MORRIS
aka: ARNOLD MORRIS
3334 S 3200 W
SALT LAKE CITY UT 84119-2626
Defendant/Respondent

Judge: SANDRA PEULER

- (1) The Garnishee has verified the employment of the debtor.
- (2) I request that a Writ of Continuing Garnishment be issued and served upon the Garnishee named below, along with the attached forms.
- (3) The original judgment was \$369.41 of which \$476.18 is due, which includes applicable penalty, interest and fees associated with this action.
- (4) The judgment debtor is:
Name: **ARNOLD MORRIS**
Address: **3334 S 3200 W, SALT LAKE CITY, UT 84119-2626**
Tax Account Number: **528231112**
- (5) I believe that the following people hold property of the judgment debtor:
Person Holding Property: ~~CRYSTAL~~ Kristel

REDMAN VAN & STORAGE CO

2571 W 2590 S

SALT LAKE CTY UT 84119-1985

Property Description: **WAGES**

Estimated Value of Property: **\$476.18**

Is Property Earnings: **YES**

- (6) I believe that the following people claim an interest in the property, and I request that the Writ of Garnishment be served upon each, along with the attached forms:

Name of Other People Claiming Property Interest: **Unknown**

Address: **N/A**

Phone Number: **N/A**

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Application for a Writ of Garnishment is true and correct.

DATE: May 3, 2012



Stephen Barnes

~~CRYSTAL~~ Kristel
REDMAN VAN & STORAGE CO
2571 W 2590 S
SALT LAKE CTY UT 84119-1985
Telephone: 801-972-6598

In the District Court of Utah
Third Judicial District
Salt Lake County
Court Address: 450 South State Street, Salt Lake City, UT 84111

UTAH STATE TAX COMMISSION
Plaintiff/Petitioner

v.

ARNOLD MORRIS
aka: ARNOLD MORRIS
3334 S 3200 W
SALT LAKE CITY UT 84119-2626
Defendant/Respondent

**Garnishee's Answers to Interrogatories
for Earnings**

Case Number: 106942239

Judge: SANDRA PEULER

If you are an employer who is garnishing earnings, the court has prepared an interactive worksheet that will calculate the amount to be withheld and prepare the Answers to Interrogatories form ready for filing. To use the worksheet, go to the Utah courts' website at <https://www.utcourts.gov>. The link to "Employer's Answers to Garnishment Interrogatories" is on the bottom of the right column. Note your session number. You may return to it and edit it for up to 180 days, making a continuing garnishment easier.

(1) Do you employ the judgment debtor?

ANSWER: ☒ Yes (continue to other questions) ☐ No (skip to end, sign this form and mail)

(2) Are there other Writs of Continuing Garnishment in effect?

ANSWER: ☐ No ☒ Yes ⁽²⁾ (if yes, when will they expire) ANSWER: 9/4/12 or when paid in full

(3)(a) What is the judgment debtor's pay period?

ANSWER: ☐ Weekly ☒ Biweekly ☐ Semi-monthly ☐ Monthly

___ Other (Describe): _____

(3)(b) What is the pay period to which these answers relate?

ANSWER: Start Date: _____ End Date: _____

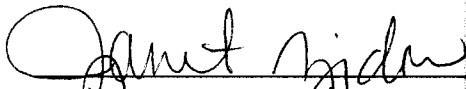
* The Writ served on you with this form is effective for 120 days after the date of service or for 120 days after the date a previous writ expires, whichever is later. If those 120 days end before the end date of the pay period, you are not required to withhold money from the debtor. Skip the remaining questions, sign this form, and mail it as indicated. Otherwise calculate the amount to be withheld.

(4) Calculate the amount to be withheld from the judgment debtor (Assume you are calculating this on the last day of the pay period for which these answers apply.)

(4)(a) Gross earnings from all sources payable to the judgment debtor. (Include wages, salaries, commissions, bonuses, or earnings from a pension or retirement program. Tips are generally not considered earnings for the purposes of the wage garnishment law.)		unable to estimate, \$ paid % of
(4)(b) Deductions required by law		Jobs performed
(4)(b)(i) Federal income tax	\$	
(4)(b)(ii) State income tax	\$	
(4)(b)(iii) Social security tax (FICA)	\$	
(4)(b)(iv) Medicare tax (FICA)	\$	
(4)(b)(v) Other amounts required by law to be deducted Describe deduction and give reason:	\$	
(4)(c) Total Deductions (Add (4)(b)(i) through (4)(b)(v).)		\$-
(4)(d) Disposable earnings (Line (4)(a) minus line (4)(c).)		\$=
(4)(e) Calculate:		
(4)(e)(i) 25% of the amount on line (4)(d) (Multiply (4)(d) x 0.25)	\$	
(4)(e)(ii) Minimum wage for 30 hours for the pay period selected. Choose One and enter the amount in the box to the right. ___ Weekly (7.25 x 30 x 1) = \$217.50 ___ Biweekly (7.25 x 30 x 2) = \$435.00 ___ Semi-monthly (7.25 x 30 x 2.16) = \$469.80 ___ Monthly (7.25 x 30 x 4.33) = \$941.78		\$-
(4)(e)(iii) Line (4)(d) minus Line (4)(e)(ii). (The difference between disposable earnings and minimum wage for 30 hours for the pay period selected.) (May be less than zero)		\$=

(4)(f) Is line (4)(e)(i) less than line (4)(e)(iii)? Choose one ___ Yes...Enter the amount from line (4)(e)(i) ___ No... Enter the amount form line (4)(e)(ii) (If less than zero enter 0.00)	\$	
(4)(g) Amount of any other garnishment or income withholding order. (1) child support \$161.54 (2) 25%	\$-	
(4)(h) Line (4)(f) minus line (4)(g)	\$=	
(4)(i) Amount deducted for an undisputed debt owed to you by the ___ judgment creditor ___ judgment debtor (check one, both or neither)	\$-	
(4)(j) Line (4)(h) minus line (4)(i)	\$=	
(4)(k) What is the balance owed on the judgment? (You may contact the judgment creditor to get the balance owed.)	\$-	
(4)(l) Is line (4)(k) less than line (4)(j)? Choose one ___ Yes...Enter the amount from line (4)(k) ___ No... Enter the amount form line (4)(j) This is the amount to be withheld.	\$=	

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Garnishee's Answers to Interrogatories for Earnings is true and correct.

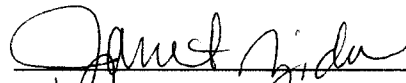
DATE 5/23/12 Sign here 
Typed or printed name Janet Zidon

Certificate of Service

Use this form each time you serve your Garnishee's Answers to Interrogatories for Earnings on the Judgment Creditor and the Judgment Debtor.

I certify that I served a copy of the following documents on the people listed below:
Garnishee's Answers to Interrogatories for Earnings

Person's Name	Method of Service	Served at this Address	Served on This Date
(Judgment Creditor:) GARNISHMENTS UTAH STATE TAX COMMISSION 210 N 1950 W SALT LAKE CITY, UT 84134	☒ Mail ☐ Hand Delivery ☐ Fax (Person agreed to service by fax.) ☐ Email (Person agreed to service by email) ☐ Left at business (With person in charge or in receptacle for deliveries.) ☐ Left at home (With person of suitable age and discretion residing there.)		5/23/12
(Judgment Debtor:) ARNOLD MORRIS aka: ARNOLD MORRIS 3334 S 3200 W SALT LAKE CITY UT 84119-2626	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to service by fax.) ☒ Email (Person agreed to service by email) ☐ Left at business (With person in charge or in receptacle for deliveries.) ☐ Left at home (With person of suitable age and discretion residing there.)		5/23/12
(The Clerk of Court:)	DO NOT SEND TO THE COURT	XXXX	XXXX

DATE 5/23/12 Sign here 
 Typed or printed name Janet Zidon

NOTICE OF GARNISHMENT AND EXEMPTIONS
NOTICE: YOUR PROPERTY MAY BE TAKEN TO PAY A CREDITOR.
PLEASE READ THIS CAREFULLY.

- (1) If you are the judgment debtor in this action, your rights may be affected. You should read this notice and take steps to protect your rights.
- (2) If you are not the judgment debtor in this action, papers filed with the court indicate that you may have an interest in the judgment debtor's property. Your rights may be affected, and you should read this notice and take steps to protect your rights.
- (3) The Garnishee (someone who possesses your property) has been ordered to hold your property. This means that you cannot obtain the property and it may be used to pay a judgment creditor.
- (4) Certain property and money are exempt from execution (cannot be garnished). The following is a partial list of exempt property and money, but some of these exemptions might not apply to judgments for alimony or child support.
 - (A) A burial plot for you and your family.
 - (B) Health aids.
 - (C) Benefits because of disability, illness or unemployment.
 - (D) Medical care benefits.
 - (E) Veteran's benefits.
 - (F) Social security benefits.
 - (G) Supplemental security income benefits (SSI).
 - (H) Workers' compensation benefits.
 - (I) Certain retirement benefits.
 - (J) Public assistance.
 - (K) Money or property for child support, alimony or separate maintenance.
 - (L) Certain furnishings, appliances, carpets, animals, books, musical instruments, and heirlooms.
 - (M) Provisions for 12 months.
 - (N) Wearing apparel, not including jewelry or furs.
 - (O) Beds and bedding.
 - (P) Certain works of art.
 - (Q) Compensatory damages from bodily injury or wrongful death.
 - (R) The proceeds of certain life insurance contracts and trusts.
 - (S) Books, implements and tools of a trade.
 - (T) A personal motor vehicle.
 - (U) A motor vehicle used in trade or business.
 - (V) Part of your wages.
 - (W) Property of a person who did not have a judgment entered against him or

her, such as the co-owner of the property being held.

- (5) You should consult Utah Code Title 78B, Chapter 5, Part 5, Utah Exemptions Act for full information about exemptions. There is no exemption solely because you are having difficulty paying your debts.
- (6) If you believe that the Writ of Garnishment was issued improperly, that the Answers to Interrogatories are inaccurate, that the judgment creditor owes you money, or that you are entitled to an exemption, **DO THE FOLLOWING IMMEDIATELY**. You have a deadline of 10 business days from the date the Garnishee mailed or delivered this notice to you.
 - (A) Complete the attached "Reply and Request for Hearing" form.
 - (B) Sign your name in the space provided.
 - (C) Mail or deliver the form to: the court clerk, the judgment creditor, (or judgment creditor's attorney) and the Garnishee. Keep a copy for your records. The name and address of the court, the judgment creditor, (or judgment creditor's attorney) and the Garnishee are on the first page of the Writ of Garnishment.
- (7) The court clerk will schedule the matter for hearing and notify you. You should file with the Reply and Request for Hearing form or bring to the hearing any documents that help you prove your claim.
- (8) If you fail to take these steps, the property being held may be used to pay a judgment creditor.
- (9) You may consult an attorney and have the attorney represent you at the hearing.

My Name _____

Address _____

City, State, Zip _____

Telephone _____

Email _____

I am the

☐ Defendant/Respondent

☐ Attorney for the Defendant/Respondent and my Utah Bar Number is _____

In the District Court of Utah
Third Judicial District
Salt Lake County

Court Address: 450 South State Street, Salt Lake City, UT 84111

UTAH STATE TAX COMMISSION
Plaintiff/Petitioner

v.

ARNOLD MORRIS
aka: ARNOLD MORRIS
3334 S 3200 W
SALT LAKE CITY UT 84119-2626
Defendant/Respondent

Reply and Request for Hearing

Case Number: 106942239

Judge: SANDRA PEULER

Instructions: You must attach the following records and forms if they are not already filed with the court.

☐ Continuation pages (If any, completing paragraphs that don't have enough space. Write the paragraph number on the continuation page.)

☐ Any documents supporting your claims

☐ By and through my attorney, I say that: (Attorney, check here if you are appearing on behalf of your client.)

(1) I have read the Notice of Garnishment and Exemptions form.

(2) I request that this matter be scheduled for a hearing.

(3) The garnished property is:
☐ Funds in an account ☐ Wages ☐ Other property

(4) ☐ The Writ of Garnishment was issued improperly because:

(5) ☐ The Answers to Interrogatories are not accurate because:

(6) ☐ All [or this part: \$ _____] of the property is exempt because it is:
☐ Benefits because of disability, illness or unemployment.
☐ Medical care benefits.
☐ Veteran's benefits.
☐ Social security benefits
☐ Supplemental security income benefits (SSI)
☐ Workers' compensation benefits.
☐ Retirement benefits.
☐ Public assistance.
☐ Money for child support, alimony or separate maintenance.
☐ Compensatory damages from bodily injury or wrongful death.
☐ The proceeds of a life insurance contract or trust.
☐ Exempt wages.
☐ Owned by another person.
☐ Other. Explain:

(7) ____ The judgment creditor owes me money because:

(8) ____ I claim ownership of all or part of the money or property taken, and I am not one of the persons against whom a judgment was entered. Explain:

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Reply and Request for Hearing is true and correct.

DATE _____ Sign here _____

Typed or printed name _____

Certificate of Service

I certify that I served a copy of the following documents on the people listed below:
 Reply and Request for Hearing

Person's Name	Method of Service	Served at this Address	Served on This Date
(Judgment Creditor:) GARNISHMENTS UTAH STATE TAX COMMISSION 210 N 1950 W SALT LAKE CITY, UT 84134	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to service by fax.) ☐ Email (Person agreed to service by email) ☐ Left at business (With person in charge or in receptacle for deliveries.) ☐ Left at home (With person of suitable age and discretion residing there.)		
(The Clerk of Court:)	☐ Mail ☐ Hand Delivery ☐ Electronic File	450 South State Street Salt Lake City UT 84111	
(Garnishee:) CRYSTAL REDMAN VAN & STORAGE CO 2571 W 2590 S SALT LAKE CTY UT 84119-1985	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to service by fax.) ☐ Email (Person agreed to service by email) ☐ Left at business (With person in charge or in receptacle for deliveries.) ☐ Left at home (With person of suitable age and discretion residing there.)		
(Person claiming interest in property)	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to service by fax.) ☐ Email (Person agreed to service by email) ☐ Left at business (With person in charge or in receptacle for deliveries.) ☐ Left at home (With person of suitable age and discretion residing there.)		

DATE _____ Sign here _____

Typed or printed name _____