Nebraska State Court Form

CC 3:6 Rev. 6/15
Neb. Rev. Stat. § 25-1010.

AFFIDAVIT AND PRAECIPE FOR SUMMONS IN GARNISHMENT (IN AID OF EXECUTION)

IN THE _____ COURT OF _____ COUNTY, NEBRASKA
Choose the court Choose the county

_____
Plaintiff

vs.

_____
Defendant

Case No. _____

AFFIDAVIT AND PRAECIPE FOR SUMMONS IN GARNISHMENT (IN AID OF EXECUTION)

_____, being duly sworn says: the creditor in this _____action, , recovered a judgment against the debtor, _____, on _____ ; that the debtor's last known address is _____; that there is now due on the judgment the sum of $_____, plus $_____ interest, and $_____ costs, for a total of $_____. I have good reason to and do believe that this sum is based upon a judgment that: (Check one.)

___A. ***is not for*** the support of a person, and the judgment debtor ***is*** the head of a family.*
___B. ***is not for*** the support of a person, and the judgment debtor ***is not*** the head of a family.*
___C. ***is for*** the support of a person, the judgment debtor ***is*** supporting a spouse or dependent child, and this support order ***is not for*** payments more than 12 weeks in arrears.**
___D. ***is for*** the support of a person, the judgment debtor ***is*** supporting a spouse or dependent child, and this support order ***is for*** payments more than 12 weeks in arrears.**
___E. ***is for*** the support of a person, the judgment debtor ***is not*** supporting any other spouse or dependent child, and this support order ***is not*** for payments more than 12 weeks in arrears.**
___F. ***is for*** the support of a person, the judgment debtor ***is not*** supporting any other spouse or dependent child, and this support order ***is for*** payments more than 12 weeks in arrears.**

I further say that I have good reason to and do believe that the garnishee, _____, has property of and is indebted to the judgment debtor. Further Affiant says not.

_____ Date _____
Signature

_____ _____
Name (Judgment Creditor/Attorney) Street Address/P.O. Box

_____ _____
Bar Number and Firm Name (attorneys only) City/State/ZIP Code

_____ _____
Phone Email Address

Signed and sworn to before me on _____, _____.

Notary Public: _____ (Seal)

(Over)

PRAECIPE

To the Clerk of Court:

Please issue Summons in Garnishment upon the following garnishee:_____

_____, at _____

_____

in the aforementioned entitled case.

_____
Judgment Creditor/Attorney

_____
Phone Number

_____
Address

_____ Service by certified mail.

_____ Service by sheriff, constable, or authorized person.

* Neb. Rev. Stat. § 25-1558(4)(d): **Head of a family** shall mean an individual who actually supports and maintains one or more individuals who are closely connected with him [or her] by blood relationship, relationship by marriage, by adoption, or by guardianship, and whose right to exercise family control and provide for the dependent individuals is based upon some moral or legal obligation.

Restrictions defined in 15 U.S.C., Section 1673(a). See Instructions.

** Restrictions defined in 15 U.S.C., Section 1673(b). See Instructions.

This form is provided as a public service but should be reviewed by your attorney. Effective January 1, 1994.