

Sample for Reference Purposes Only. Forms have bilingual format for your convenience, but must be completed and filed with the court in English. 表格样本, 仅供参考. 为了提供便利, 表格采用双语格式, 但向法院提交的表格必须用英语填写。



Located at (地址) _____ Court Address (法院地址) _____ Case No. _____ (案件编号)

Plaintiff/Judgment Creditor (原告/判决书债权人) vs. Defendant/Judgment Debtor (被告/判决书债务人)
Address (地址) Address (地址)
City, State, Zip (城市、州、邮政编码) City, State, Zip (城市、州、邮政编码)

SERVE ON: (收件人:)

Garnishee (第三方债务人)
Address (地址)
City, State, Zip (城市、州、邮政编码)

XXX - XX - ____
Social Security Number (社会安全号码)

- Serve by Sheriff/Constable (由警长/治安官送达)
Send by Restricted Delivery Mail (通过限制性递送邮件方式送达)
Serve by Private Process (由专人送达)

REQUEST FOR WRIT OF GARNISHMENT OF PROPERTY OTHER THAN WAGES
(下达非工资财产扣押令申请)
(Md. Rule 3-645 and 3-645.1)
(《马里兰州规则》第 3-645 款和第 3-645.1 款)

Action in: (行动:)

- Attachment Before Judgment (判决前扣押)
A Judgment was entered in this case on (本案判决书下达于)
Month/Day (月/日) Year (年)

THE AMOUNT NOW DUE on the judgment is as follows: (根据判决书, 以下是目前欠付数额:)

\$ Original amount of judgment (excluding costs and attorney's fees) (原判决数额 (扣除法院费用和律师费))
\$ Less total credits (减去已付数额)
\$ Net (净额)
\$ Plus accrued interest, on (另加应付利息, 本金) \$, at (利率) %
for period from (从) Month/Day (月/日) Year (年) to (到) Month/Day (月/日) Year (年)
\$ Plus court costs due, including Writ of Attachment (另加应付法院费用, 包括与扣押令有关的费用)
\$ Plus additional accrued interest, on (另加应付利息, 本金) \$ at (利率) % for period from (从)
Month/Day (月/日) Year (年) to (到) Month/Day (月/日) Year (年)
\$ Plus attorney's fee, if allowed by judgment. (如果判决书许可, 另加律师费。)
\$ TOTAL DUE ON JUDGMENT (基于判决的总应付数额)

Plaintiff requests that a Writ of Garnishment be directed to the Garnishee. (原告请求向第三方债务人下达扣押令。)

Date (日期) Signature of Judgment Creditor or Attorney (判决书债权人或律师签名)
Telephone Number (电话号码) Printed Name (用大写字母填写姓名)
Fax (传真) E-mail (电子邮件) Address (地址)

WRIT OF GARNISHMENT OF PROPERTY OTHER THAN WAGES (Md. Rule 3-645)
非工资财产扣押令 (《马里兰州规则》第 3-645 款)

TO THE GARNISHEE: (致第三方债务人:)

You are directed to hold, subject to further proceedings, any property of the Judgment Debtor in your possession at the time of service of this Writ and all property of the Judgment Debtor that may come into your possession after service of this Writ; including any debt owed the Judgment Debtor, whether immediately payable or unmatured. Federal and State exemptions may be available to you and to the Judgment Debtor. (特此命令您在进一步诉讼程序之前扣押在本命令送达时您所持有的判决书债务人的任何财产以及在本命令送达后您可能接收的该债务人的所有财产, 包括应当偿还该债务人的任何债务, 无论是需要立即支付还是尚未到期的债务。您和判决书债务人可能有资格享受联邦和州豁免。)

With respect to a Writ of Garnishment of account in a financial institution pursuant to Rule 3-645.1, unless a Notice of Right to Garnish Federal Benefits that conforms with 31 C.F.R. §212.4 and Appendix B to 31 C.F.R. Part 212 is attached, Financial Institutions are directed: 1) not to hold property of the judgment debtor that constitutes a protected amount; 2) not to hold property of the judgment debtor that may come into the garnishee's possession following service of the writ if the account contains a protected amount; and 3) to comply with other applicable requirements, prohibitions, and limitations of 31 C.F.R. Part 212. (至于根据《规则》第 3-645.1 款受扣押令制约的金融机构中的账户, 除非有符合随附之《联邦法规集》第 31 篇第 212.4 款和附件 B 至《联邦法规集》第 31 篇第 212 部分的《扣押权利联邦福利通知》, 否则金融机构必须执行下列指令: 1) 不扣押构成受保护资产的判决书债务人的财产; 2) 如果账户包含受保护资产, 则不得扣押命令送达后可能由第三方债务人持有的判决书债务人的财产; 以及 3) 遵守《联邦法规集》第 31 篇第 212 部分的其他适用规定、禁止和限制。)

You must file an answer to the court within 30 days of service of this Writ and forward a copy to both the Plaintiff/Creditor and the Defendant/Debtor. Failure to do so may result in a judgment by default being entered against you. The Judgment Debtor has the right to contest this garnishment by filing a motion asserting a defense or objection. (您必须在本命令送达后 30 天内向法院提交应答书, 并将副本送交给原告/债权人和被告/债务人。不这样做可能会导致对您作出缺席判决。判决书债务人有权通过提出辩护或反对动议对本扣押决定提出异议。)

Date (日期)

Clerk/Judge (书记官/法官)

ID Number (身份代码)

NOTICE TO PERSON SERVING WRIT
向命令送达人发出的通知

Promptly after service upon the Garnishee, the person making service shall mail a copy of the Writ to the Judgment Debtor's last known address. Proof of service and mailing shall be filed with the Court promptly. (Md. Rule 3-126.) (在命令送达第三方债务人后, 送达人应立即将该命令的副本邮寄至判决书债务人的最后已知地址。送达和邮寄证明应立即提交法院 (《马里兰州规则》第 3-126 款)。)

NOTICE TO GARNISHEE
向第三方债务人发出的通知

The Garnishee shall file an answer within 30 days after service of the Writ. The answer shall admit or deny that the Garnishee is indebted to the Judgment Debtor or has possession of property of the Judgment Debtor and shall specify the amount and nature of any debt and describe any property. The Garnishee may assert any defense that the Garnishee may have to the Garnishment, as well as any defense that the Judgment Debtor could assert. After answering, the Garnishee may pay any garnished indebtedness into court and may deliver to the sheriff any garnished property, which shall be treated as if levied upon by the sheriff. A Garnishee who has filed an answer admitting indebtedness to the Judgment Debtor or possession of property of the Judgment Debtor is not required to file an amended answer solely because of an increase in the Garnishees's indebtedness to the Judgment Debtor or the Garnishee's receipt of additional property of the Debtor. (第三方债务人应在命令送达后 30 天内向法院提交应答书。应答书必须承认或否认第三方债务人欠判决书债务人的债务或持有判决书债务人的财产, 并具体说明债务的数额和性质以及描述任何财产。第三方债务人可就扣押令提出辩护, 亦可提出判决书债务人可能提出的任何辩护。提交应答书后, 第三方债务人可向法院支付任何扣押的债务, 并可将任何扣押的财产交给警长, 如同警长征收费用的财产。如果第三方债务人已提交应答书, 承认第三方债务人欠判决书债务人的债务或持有判决书债务人的财产, 则无须仅仅因为第三方债务人欠判决书债务人的债务增加或第三方债务人另收到债务人的财产而提交经修改应答书。)

With respect to a Writ of Garnishment of account in a financial institution pursuant to Rule 3-645.1, the answer of the institution shall state, if applicable, that a protected amount is in the judgment debtor's account. The answer need not specify the amount. If the answer states that the property it holds consists only of a protected amount, the institution shall include with the Answer a request for a judgment in favor of the institution/garnishee terminating the garnishment. (至于根据《规则》第 3-645.1 款受扣押令制约的金融机构中的账户，适当时金融机构的应答书中应当说明在判决书债务人的帐户中有受保护资产。应答书不需要提供该资产的数额。如果应答书指出金融机构持有的财产仅仅包括受保护资产，则该机构必须随附一项请求，请求法院作出允许该机构/第三方债务人终止执行扣押令的判决。)

If the Garnishee fails to file a timely answer, the Judgment Creditor may proceed pursuant to MD Rule 3-509 for a judgment by default against the Garnishee. (如果第三方债务人没有及时提交应答书，则判决书债权人可以根据《马里兰州规则》第 3-509 款要求对第三方债务人作出缺席判决。)

If the Garnishee files a timely answer, the matters set forth in the answer shall be treated as established for the purpose of the Garnishment proceeding unless the Judgment Creditor files a reply contesting the answer within 30 days after its filing. If a timely reply is not filed, the Court may enter the judgment upon request of the Judgment Creditor, the Judgment Debtor, or the Garnishee. If a timely reply is filed to the answer of the Garnishee, the matter shall proceed as if it were an original action between the Judgment Creditor as Plaintiff and the Garnishee as Defendant and shall be governed by the rules applicable to civil actions. (如果第三方债务人及时提交应答书，则应答书中的事项应视为在扣押程序中已经确认的事实，除非判决书债权人在该应答书提交后 30 天内提交辩诉书，对应答书中的内容提出争议。如果没有及时提交辩诉书，法院可应判决书债权人、判决书债务人或第三方债务人请求下达判决书。如果判决书债权人针对第三方债务人的应答书及时提交辩诉书，则该案件将被视为原始诉讼，以判决书债权人为原告，第三方债务人为被告，案件的审理将依据适用于民事诉讼的规则。)

NOTICE TO JUDGMENT DEBTOR CONCERNING EXEMPTIONS 向判决书债务人发出的有关豁免事项的通知

As a result of the judgment entered against you, the bank or other person holding your money or property has been ordered by this court to hold your money or property that does not constitute a protected amount subject to further order of the court. **You have the right to contest this garnishment by filing a motion asserting a defense or objection.** You may be entitled to claim an exemption of all or part of your money or property, but in order to do so you must file a motion with the court as soon as possible. If you do not file a motion within 30 days of when the Garnishee was served, your property may be turned over to the Judgment Creditor. You may include in your motion a request for a hearing. If you file a motion under Rule 3-643, claiming an exemption, and request a hearing, a hearing shall be held promptly. (由于对您的判决，银行或持有您的资金或财产的其他人已经收到本法院命令，扣押您的不属于受保护资产的资金或财产，以听候法院的进一步命令。**您有权通过提出辩护或反对动议来对此扣押令提出异议。**您可能有权就您的全部或部分资金或财产提出豁免申请，但如需这样做，您必须尽快向法院提出动议。如果您在命令送达第三方债务人后 30 天内未提出动议，您的财产可能会转交给判决书债权人。您可以在您的动议中包括举行听证的请求。如果您根据《规则》第 3-643 款提出动议，说明您有资格享受豁免，并要求举行听证，法院将立即举行听证。)

With respect to a Writ of Garnishment of account in a financial institution pursuant to Rule 3-645.1, some Federal benefit payments may be automatically protected from garnishment and will not be held in response to the writ of garnishment. Any claim for exemption for a non-protected amount must be filed with the court no later than 30 days after service of the writ of garnishment on the garnishee. (至于根据《规则》第 3-645.1 款受扣押令制约的金融机构中的账户，某些联邦福利付款可能会自动受到保护，不会由于扣押令而被扣押。如果希望就任何未受保护的资产申请豁免，您必须在扣押令送达第三方债务人后 30 天内向法院提出申请。)

You have the right under the Annotated Code of MD to claim an exemption of certain kinds of personal property such as: wearing apparel, books, tools, instrument or appliances in an amount not to exceed \$5,000 in value necessary for the practice of any trade or profession except those kept for sale, lease or barter; money payable in the event of sickness, accident, injury or death of any person including compensation for loss of future earnings (however, disability income benefits are not exempt if the judgment is for necessities contracted for after the disability is incurred); professionally prescribed health aids for the debtor or dependent of the debtor; debtor's interest not to exceed \$1,000 in value, in household furnishings, household goods, wearing apparel, appliances, books, animals kept as pets, and other items that are held primarily for the personal, family or household use of the debtor or any dependent of the debtor. IN ADDITION, WITHIN THIRTY DAYS AFTER THE DATE OF SERVICE OF THE WRIT OF GARNISHMENT ON THE BANK OR OTHER PERSON HOLDING YOUR MONEY OR PROPERTY, YOU MAY ELECT TO EXEMPT A TOTAL OF \$6,000. (This exemption does not apply to an Attachment Before Judgment.) (您有权根据《马里兰州注释法典》申请对某些类别的个人财产免于扣押，例如：服装、书籍、工具、仪器或电器，前提是其价值不超过 5,000 美元，而且是从从事本职工作必需的用品，但不包括用于出售、租赁或以物易物的物品；因任何人的疾病、意外事故、受伤或死亡而应付的款项，包括对未来收入损失的赔偿（但是，如果判决是针对残障发生后签约购买的必需品，则残障收入补助不能豁免）；专业人员要求债务人或债务人的受抚养人使用的健康辅助用品；家具、家居用品、服装、电器、书籍、宠物、以及主要供债务人或其受抚养人个人或家庭使用的其他物品中属于债务人产权的、价值不超过 1,000 美元的部分。此外，在扣押令送达银行或其他持有您的资金或财产的人之后的三十天内，您可以选择总额为 6,000 美元的豁免资产。（此项豁免不适用于判决前的扣押令。）

You may be entitled to claim an exemption under Maryland law of certain money such as Social Security disability benefits; Supplemental Security Income benefits; annuity payments based on retired or retainer pay from the Armed Forces; Civil Service retirement and disability funds; annuities to widows and surviving dependent children of judges; federal worker's compensation; and federal retirement pensions. (您可能有权根据马里兰州法律申请对某些资产免于扣押，例如社会安全残障福利金；补充社会安全收入；退休年金或由军队支付的入伍费；公务员退休和残障基金；支付给去世法官的配偶和受抚养子女的年金；联邦雇员薪酬；以及联邦退休金。)

YOU MAY ALSO BE ENTITLED TO PROTECT OTHER MONEY OR PROPERTY NOT MENTIONED ABOVE. (您还可能有权申请保护以上未提及的其他资金或财产。)

TO PROTECT YOUR RIGHTS FULLY, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER. (为了充分保护您的权利，您本人及时采取行动十分重要。如果您有任何问题，您应该向律师咨询。)