

**JUDGMENT DEBTOR(S)'S MOTION RETURN/RELEASE
OF WAGES EXEMPT FROM GARNISHMENT;
NOTICE OF MOTION; CERTIFICATE OF SERVICE;
GARNISHMENT CALCULATION WORKSHEET; EXHIBIT "A"**

<p>IN THE DISTRICT COURT OF THE THIRD CIRCUIT _____ DIVISION _____ STATE OF HAWAI'I</p>	
Plaintiff(s)	Reserved for Court Use
	Civil No.
Defendant(s)	Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)

JUDGMENT DEBTOR(S)'S MOTION

FOR RETURN/RELEASE OF WAGES EXEMPT FROM GARNISHMENT

Filing Party(ies) moves this Court for an Order returning or releasing to the filing party all or a portion of wages which have been garnished because:

1. The amount garnished or withheld was excessive as the Federal Law State Law was more favorable to the filing party.
2. The Garnishee should have deducted \$ _____, rather than \$ _____ according to the Garnishment Calculation Worksheet, and a copy of applicable pay stub attached as Exhibit "A".
3. Other (specify)_____.

Date:	Signature of Declarant:
	Print/Type Name:

NOTICE OF HEARING

TO: _____:

Please take notice that this Motion will be heard before the Presiding Judge of this Court in his/her Courtroom, at the address checked on page 2 on _____, _____, 20____, at _____ a.m. or as soon thereafter as parties may be heard.

GARNRETS

SEE AND USE PAGE 2 TO RESPOND TO MOTION

COURT ADDRESSES

- North & South Hilo Division
- Puna Division
- North & South Kona Division
- Ka'u Division
- South Kohala Division
- Hamakua Division
- North Kohala Division

777 Kilauea Avenue, 2nd Floor, Hilo, Hawai'i, 96720
 777 Kilauea Avenue, 2nd Floor, Hilo, Hawai'i, 96720
 79-1020 Haukapila Street, Kealakekua, Hawai'i, 96750
 95-5669 Mamalahoa Highway, Na'alehu, Hawai'i, 96772
 67-5187 Kamamalu Street, Kamuela, Hawai'i, 96743
 45-3362 Mamane Street, Honoka'a, Hawai'i, 96727
 54-3900 Kapa'au Road, Kapa'au, Hawai'i, 96755

Mailing address for the above Courts: 777 Kilauea Avenue, Hilo, HI 96720-4212, 79-1020 Haukapila Street, Kealakekua, HI 96750, 67-5187 Kamamalu Street, Kamuela, HI 96743

CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on _____ by Hand-delivery or Mail, Postage Prepaid, at the following address(es):

Judgment Creditor: _____ Employer/Garnishee

Signature of Filing Party(ies)/Filing Party(ies)' Attorney:

Date:

Print/Type Name:

RESPONSE TO MOTION/CERTIFICATE OF SERVICE

- I DO NOT OBJECT to this Motion.
- I DISAGREE with this Motion for the following reasons:
(Attach continuation page, if necessary).

Reserved for Court Use

I have read this Response, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAI'I THAT THE ABOVE IS TRUE AND CORRECT:**

CERTIFICATE OF SERVICE

I certify that a copy of this Response was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on _____ by Hand-delivery or Mail, Postage Prepaid, at the following address(es):

Judgment Creditor: _____ Employer/Garnishee

Signature of Responding Party(ies)/Responding Party(ies)' Attorney:

Date:

Print/Type Name:



In accordance with the **Americans with Disabilities Act** if you require an accommodation for your disability, please contact the ADA Coordinator at PHONE NO. (808) 961-7424, FAX (808) 961-7411, or TTY (808) 961-7422 at least ten (10) working days in advance of your hearing appointment date. **For Civil related matters, please call or visit the District Court Civil Section at Hilo Division, 777 Kilauea Avenue, Hilo, Ph. (808) 961-7515 • Kohala Division, 67-5187 Kamamalu St., Kamuela, Ph. (808) 443-2030 • Kona Division, 79-1020 Haukapila St., Kealakekua, Ph. (808) 322-8700.**