

# Wage Garnishment

After you win your lawsuit and receive a judgment against the other party, your next step is to attempt to collect what you are owed. The court does not collect your judgment for you; you must do it yourself. If the judgment debtor has a job, you may be able to take a portion of their wages until your judgment is paid in full.

# **Templates and Forms**

- Writ of Execution (EJ-100) (http://www.courts.ca.gov/documents/ej130.pdf)
- Application for Earnings Withholding Order (Wage Garnishment) (WG-001) (http://www.courts.ca.gov/documents/wg001.pdf)
- <u>Confidential Statement of Judgment Debtor's Social Security Number (WG-035)</u> (http://www.courts.ca.gov/documents/wg035.pdf)

#### Under both State (CCP § 706.050

(https://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?sectionNum=706.050.&nodeTreePath=5.14.2.5.3&lawCode=CCP) and Federal ( <u>15 USC 1673 (https://www.govinfo.gov/content/pkg/USCODE-2021-title15/pdf/USCODE-2021-title15-chap41-subchapII-sec1673.pdf)</u> law, judgment creditors may garnish up to 20% of the debtor's disposable earnings (or more, if the debtor earns more than 40 times minimum wage). The 20% is the total for all garnishments, so if another garnishment is already in place, there may not be any funds available for you to collect until other creditors are paid in full. Additionally, you can only garnish wages if a third party employs the debtor; you cannot garnish wages if the debtor is self-employed.

For a complete list of our guides and videos on enforcement of judgments, visit our <u>Enforcing</u>\_ <u>Judgments topic page. (https://saclaw.org/legal\_topic/enforcing-a-courts-judgment/)</u>

# **Step-by-Step Instructions**

# 1. Obtain a Writ of Execution

To garnish the judgment debtor's wages, you must first obtain a writ of execution from the court. A writ of execution is a court order instructing the Sheriff to enforce your judgment in the county where the assets are located. This may not be the county where the party works, or the county where the judgment was issued.



# 1.a.Complete the Writ of Execution (EJ-130) form

The Judicial Council form used to obtain a writ of execution is:

• Writ of Execution (EJ-130) (http://www.courts.ca.gov/documents/ej130.pdf)

Instructions for completing this form are available at the end of this Guide.

# 1.b.Adding Costs and Interest (optional)

If you want to add additional costs incurred after entry of judgment (e.g., the cost of issuing the writ of execution, levying officers' fees, fees for the debtor's examination, etc.) or accrued interest on your judgment amount, you must file a *Memorandum of Costs after Judgment* (MC-012) with your *Writ of Execution* (EJ-130). You must serve your *Memorandum of Costs after Judgment* (MC-012) on the judgment debtor prior to filing. The judgment debtor has 10 days after service of the *Memorandum of Costs after Judgment* (MC-012) to oppose it by filing a motion to tax costs (CCP § 685.070(c) (http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?sectionNum=685.070.&lawCode=CCP)). For more information on the

procedure and forms, see our guide on <u>Memorandum of Costs After Judgment (https://www.saclaw.org/resource\_library/ej-memorandum-of-costs-after-judgment/)</u>.

# 1.c.Obtain a File-Endorsed Copy of Your Judgment

You will need to provide the court with a file-endorsed (stamped) copy of your judgment. If you do not have one, you may download a copy from the <u>court's website (https://www.saccourt.ca.gov/indexes/online-services.aspx)</u>.

# **1.d. File Your Documents**

File the following items with the court:

- Writ of Execution (EJ-130) (original + 2 photocopies)
- Memorandum of Costs after Judgment (MC-012), if desired (original + 2 photocopies)
- File-endorsed (stamped) copy of the judgment
- Filing fee (see court fee schedule to determine current fee) (https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf)
- Self-address stamped envelope

File in the drop box at the courthouse at 720 Ninth Street. Fill out and attach the <u>Civil Document Drop-Off Sheet</u> (http://www.saccourt.ca.gov/forms/docs/cv-drop-off-sheet.pdf), and date stamp the back of your original documents.

If you filed a Memorandum of Costs after Judgment (MC-012) along with your Writ of Execution (EJ-130), and



your costs are more than \$100, the clerk will wait 10 days (15 days, if served by mail) to issue Writ of Execution, to allow the judgment debtor to oppose your costs by filing a Motion to Tax Costs (<u>CCP § 685.070</u> (<u>http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=685.070</u>). If your costs are less than \$100, or if you did not file a Memorandum of Costs, the clerk will issue your Writ immediately. The clerk will return the documents to you by mail. Your *Writ of Execution* (EJ-130) will be valid for 180 days after it is issued.

# 2. Complete the Application for Earnings Withholding Order

The *Writ of Execution* (EJ-130) simply tells the sheriff to enforce a judgment, but does not specify the method(s) to be used. You must provide the Sheriff's Department with the details of how they are to enforce your judgment. The Judicial Council forms used to have the Sheriff garnish the debtor's wages are:

- <u>Application for Earnings Withholding Order (Wage Garnishment) (WG-001)</u>
   (http://www.courts.ca.gov/documents/wg001.pdf)
- Confidential Statement of Judgment Debtor's Social Security Number (WG-035) (http://www.courts.ca.gov/documents/wg035.pdf) (if debtor's Social Security Number is known)

Instructions for completing these forms are available at the end of this Guide.

### 3. Have Your Documents Served

An "Earnings Withholding Order packet" must be served on the employer by a sheriff or registered process server. This packet includes the *Writ of Execution* (EJ-130), which must be valid at the time it is served on the employer. Be sure to time this properly, so that the packet is not served to the employer more than 180 days after the *Writ of Execution* (EJ-130) is issued. The Sacramento County Sheriff requests that you give them the packet no more than 120 days after the *Writ of Execution* (EJ-130) is issued. The Sacramento County Sheriff requests that you give them the packet no more than 120 days after the *Writ of Execution* (EJ-130) is issued, so they have enough time to serve the employer before it expires.

To have your documents served by the sheriff, bring the following items to the <u>Sacramento County Sheriff's</u> <u>Civil Division (https://www.sacsheriff.com/pages/civil\_bureau.php)</u>, 2969 Prospect Park Drive, Suite 200, Rancho Cordova, CA 95670 (telephone: 916-875-2665):

- Original Writ of Execution (EJ-130)
- Original Application for Earnings Withholding Order (WG-001)
- Confidential Statement of Judgment Debtor's Social Security Number (WG-035) (if debtor's Social Security Number is known)
- Cash or check for service fee (see the department's fee schedule for current charges). (https://www.sacsheriff.com/documents/civil/FEE%20SCHEDULE%20-%202025.pdf)

The Sacramento County Sheriff will provide copies of the additional required documents, including:

- Earnings Withholding Order (WG-002)
- Employer's Return (Wage Garnishment) (WG-005)



• Employee Instructions (Wage Garnishment) (WG-003)

The Sheriff will issue the Earnings Withholding Order (WG-002) based on your application. They will note the Levying Officer's file number on the order – keep track of this number, so you can to track the status of your file at the Sacramento County Sheriff's Office (http://www.sacsheriff.com/civilcases/) through the E-Services Portal. (https://civil.sacsheriff.com/Portal/)

The Employer will complete and sign the Employer's Return (Wage Garnishment) (WG-005), and give it to the Sheriff, who will mail it to you. At the end of the process, you will have a "packet" for your files, which will include:

- Writ of Execution (EJ-130)
- Application for Earnings Withholding Order (Wage Garnishment) (WG-001)
- Earnings Withholding Order (WG-002)
- Employer's Return (WG-005)
- Employee Instructions (WG-003)

If served outside Sacramento County, check with the local Sheriff to determine if they will provide these documents.

If you hire a registered process server to serve your documents, contact the server to determine their fees, what documents you must provide, and any additional information they will require.

Only the Sheriff can issue the Earnings Withholding Order, so a process server will need to first obtain the Order from the Sheriff, then serve the Earnings Withholding Order packet on the employer, and return the appropriate documentation, along with your fee, to the Sheriff, who is responsible for collecting and disbursing funds. Therefore, it is more practical for most litigants to have the Sheriff handle the entire procedure. All steps can be completed by the Sheriff for just a single fee. When a process server is used, the litigant is responsible for paying the Sheriff's fee, plus the process server's fee.

For the purposes of this guide, we will assume the Sheriff is handling the entire process.

# 4. Wait for Response from the Debtor, if Any

Under state and federal law, some types of income and property are exempt from garnishment. If the judgment debtor believes his or her wages are exempt, the debtor has 10 days after receiving notice from his or her employer about the *Earnings Withholding Order* (WG-002) to file a *Claim of Exemption* (WG-006) with the Sheriff's Department to prevent the garnishment from beginning. The judgment debtor may file a *Claim of Exemption* (WG-006) at any time, but the wages already garnished will not be returned. The Sheriff's Department will mail the judgment creditor a *Notice of Filing of Claim of Exemption* (WG-008), along with a copy of the judgment debtor's *Claim of Exemption* (WG-006) and *Financial Statement* (WG-007).



# 5. Oppose the Claim of Exemption, if Appropriate

Be sure to review the judgment debtor's *Claim of Exemption* (WG-006) and *Financial Statement* (WG-007) carefully, to determine if you agree whether the funds are exempt from collection. You can read about most of these exemptions in *Exemptions from the Enforcement of Judgments* (EJ-155). An <u>adaptation of the</u> <u>Exemptions list, with hyperlinks to the applicable code sections, is available on the Law Library's website.</u> (https://www.saclaw.org/resource\_library/exemption-from-the-enforcement-of-judgments/) If you agree that the funds are exempt, you do not need to do anything. After 10 days, the exemptions are automatically granted and the funds claimed exempt will be returned to the debtor.

If the judgment debtor does not file a *Claim of Exemption* (WG-006), skip to Step 7.

If you do not believe the funds are exempt from collection, and decide to oppose the claim of exemption, you must act quickly. There is an extremely tight turnaround on the deadlines for oppositions.

### 5.a.Determine when to schedule your hearing.

You, as the person filing the opposition, are responsible for selecting the hearing date. The timing for opposing a Claim of Exemption can be very tricky. There are three different time periods you have to consider, all of which may overlap.

Your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) must be served on the judgment debtor, given to the levying officer and filed with the court within 10 calendar days after the Sheriff mails you the judgment debtor's *Notice of Filing of Claim of Exemption* (WG-008) (<u>CCP § 706.105(d)</u>, (e) (http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=706.105.).

Your Notice of Opposition to Claim of Exemption (WG-009/EJ-170) and Notice of Hearing on Claim of Exemption (WG-010/EJ-175) must be filed with the court, given to the levying officer and served on the judgment debtor at least 16 court days before your hearing. If served by mail, add 5 calendar days (<u>CCP §</u> <u>1005</u> (http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=1005.)).



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			MAY							JUNE			
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5						1 Day 13 Day 11	S Day 12
6	7	8	9	10	11 Sheriff Mails COE	12 Day 1	S Day 13	<b>4</b> Day 12 Day 14	5 Day 11 Day 15	6 Day 10 Day 16	7 Day 9 Day 17	8 Day 8 Day 18	S Day 19
13 Day 2	<b>14</b> Day 3	15 Day 4	16 Day 5	17 Day 6	<b>18</b> Day 7	19 Day 8	Day 20	11 Day 7 Day 21	12 Day 6 Day 22	13 Day 5 Day 23	14 Day 4 Day 24	15 Day 3 Day 25	Day 26
<b>20</b> Day 9	21 Day 10 Last day to file & serve	22 Day 1	23 Day 2	<b>24</b> Day 5 Day 3	25 Day4 Day4	26 Day 3 Day 5	Day 27	18 Day 2 Day 28	19 Day 1 Day 29	20 Hearing Date Day 30	21	22	23
<b>27</b> Day 2	28 Day 1 Holiday	29 Day 16	30 Day 15	31 Day 14			24	25	26	27	28	29	30
Day 6	Day7	Day 8	Day 9	Day 10									

Your hearing must be held within 30 calendar days of filing your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) (<u>CCP § 706.105(e) (http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=706.105.)</u>).

For example, let's say the Sheriff mails the Notice of Claim of Exemption to you on May 11<sup>th</sup>. You have 10 days to serve your opposition to the sheriff and judgment debtor, and file it with the court. The last day to file your opposition is May 21<sup>st</sup> (shown in Green above). Your hearing must be held within 30 days of filing, so if you file on May 21<sup>st</sup>, the last day for your hearing is June 20<sup>th</sup> (shown in Blue above).

Now comes the tricky part. As the party making this motion, you are responsible for selecting the hearing date. You may select any date that is convenient for you, as long as it provides the minimum required notice to the judgment debtor. <u>CCP § 1005 (http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=1005.)</u> requires you to provide 16 **court** days' notice. If you serve your documents by mail within California, you must add 5 **calendar** days. These days are counted backwards from the hearing date. <u>CCP § 12c</u>

(http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=12c.). The court dates that will allow you to provide the required amount of notice will typically fall near the end of your 30 day window to have the hearing. In this example, we will be using June 20<sup>th</sup> as our desired hearing date. You may have to check several dates until you find one that will work for your situation.

To confirm that a hearing date will allow sufficient notice, count backward (<u>CCP § 12c</u> (<u>http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=12c.</u>) 16 **court** days (shown in Red above).



Day one is the day before the hearing date (June 19<sup>th</sup>). Do not count weekends or court holidays (there is only one court holiday in this example, which is Memorial Day, May 28<sup>th</sup>). May 29<sup>th</sup> is the 16<sup>th</sup> court day. This is the last day to serve your documents if personally served. If your documents are served by first-class mail, additional time is added to the calculation, depending on where the mail originates and where it is sent (<u>CCP §</u> 1005 (http://leginto.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=CCP&sectionNum=1005.)). For example, if the documents are mailed from California to an address in California, five **calendar** days are added before the sixteen court days. Calendar days include weekends and holidays, but if the final day lands on a weekend or holiday, it is rolled over to the previous court day. Counting backward 5 calendar days makes the last date for service May 24<sup>th</sup> (shown in Purple above). However, this date is after the 10 day window for service after mailing of the Notice of Claim of Exemption (requiring service to be made by May 21<sup>st</sup>). So if you filed and served your *Notice of Hearing on Claim of Exemption* and *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) on May 21<sup>st</sup>, you will have provided sufficient notice for a hearing on June 20<sup>th</sup>.

In the previous example, we filed and served our documents on the same day (May 21<sup>st)</sup>. Filing and service do not have to occur on the same day; there are often advantages to doing these steps separately. Let's say instead you wanted your hearing on June 19<sup>th</sup>. Counting backward 16 court days plus 5 calendar days makes the last day for service May 18<sup>th</sup> (the 5<sup>th</sup> day is May 20<sup>th</sup>, a Sunday, so the last day for service is the previous court day, Friday May 18<sup>th</sup>). However, you could not file your papers on the 18<sup>th</sup>, because that would make the final date for your hearing June 18<sup>th</sup> (the 30<sup>th</sup> day is June 17<sup>th</sup>, but rolls to the next court day). Your June 19<sup>th</sup> hearing would be too late. In a situation like this, you may want to consider serving your documents on the earlier date (May 18<sup>th</sup>) so you give proper notice, and waiting until the later date (May 21<sup>st</sup>) to file them with the court.



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			MAY							JUNE			
Sun	Mor	1 Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5						1 Day 12 Day 11	Day 12
6		Since day rolls over Court dat	to previ		11 Sheriff Mails COE	12 Day 1	S Day 13	4 Day 11 Day 14	5 Day 10 Day 15	6 Day9 Day 16	7 Day8 Day17	8 Day 7 Day 18	S Day 19
13 Day2	14 Day3	15 Day4	16 Day5	17 Day6	<b>18</b> Day 7 Last day to	19 Day8	Day 20	11 Day6 Day21	12 Day5 Day22	13 Day4 Day23	14 Day3 Day24	15 Day2 Day25	<b>N</b> Day 26
20 Day9 Day 5	21 Day 10 Day 4 Last da		23 Day2 Day2	24 Day 1 Day 3	serve 25 Day 16 Day 4	26 Day5	Day 27	18 Day 1 Day 28	19 Hearing Date Day 29	20 Day 30	21	22	23
27 Day6	to file 28 Holida Day 7	y 29 Day 15 Day 8	30 Day 14 Day 9	31 Day 13 Day 10			24	25	26	27	28	29	30

To give yourself the widest window to have your hearing:

- Serve your opposition early in the 10 day window. Since your hearing date requires you to provide 16 court days' plus 5 calendar days' notice, the earlier you serve your documents, the earlier your first possible hearing date.
- File your opposition with the court late in your 10 day window. The last possible date for your hearing is 30 calendar days after filing your Notice of Opposition with the court. The later you file with the court, the later your final possible hearing date will be.

If you wait until the last day to serve and file your documents, you may find that there is only one possible day to have your hearing!

# 5.b.Determining the Department to Hear and the Time of the Motion

In Sacramento, Oppositions to Claims of Exemption are heard in Department 53 at 1:30 p.m. or Department 54 at 9:00 a.m., depending on your case number, Tuesday-Thursday except for holidays. To determine whether your motion is in Department 53 or 54:

• For cases filed after April, 2023: <u>check the online porta\_(https://saccourt.ca.gov/indexes/new-portal-info.aspx)</u> I to determine which department your case is assigned to.



- For cases filed after January 1, 2013: If your case number ends in an odd number, then your Law and Motion department is 53 at 1:30 p.m. If it ends in an even number, it is department 54 at 9:00 a.m.
- All Law and Motion matters for cases filed prior to January 1, 2013 shall be heard by the Law and Motion department previously assigned.

# 5.c.Reserve your Hearing Date

In Sacramento's law and motion departments, all hearing dates must be <u>reserved online by logging on to the</u> <u>court's website (https://prod-portal-sacramento-ca.journaltech.com/public-portal/?q=node/406)</u> before submitting moving documents to the Court. Any paperwork submitted without a reserved hearing date will be rejected. Phone hours are Monday through Friday, 8:30 a.m. to 4:00 p.m. (closed from 12:00-1:00).

- Department 53 916-874-7858
- Department 54 916-874-7848

### 5.d.File and Serve your Documents

The Notice of Filing of Claim of Exemption (WG-008) provides detailed instructions for filing and serving your Notice of Opposition to Claim of Exemption (WG-009/EJ-170) and Notice of Hearing on Claim of Exemption (WG-010/EJ-175). Be sure to follow the instructions carefully.

You must include notice of the tentative ruling system with your documents. You can create your own notice on pleading paper using the language for this notice available from the Sacramento County Superior Court's website at <u>Tentative Rulings Information–Law and Motion Calendar (http://www.saccourt.ca.gov/civil/motions-hearings-tentative.aspx)</u>.

### 6. Check Your Tentative Ruling

Sacramento Superior Court uses a Tentative Ruling System. Pursuant to Local Rule 1.06

(http://www.saccourt.ca.gov/local-rules/docs/chapter-01.pdf), the court will make a tentative ruling on the merits of your matter by 2:00 p.m. the court day before the hearing. You may read the tentative ruling online, or may call the clerk for Department 53 ((916) 874-7858) or Department 54 ((916) 874-7848) to hear it.

In the tentative ruling, the judge will determine what funds, if any, are exempt from collection. The ruling will typically order the release of non-exempt funds to the creditor, and order the continued garnishment of non-exempt funds.

If you are happy with the tentative ruling, you do not need to do anything. You won't have to go to court unless ordered to appear in the tentative ruling or unless the other side calls you and the court between 2:00 p.m. and 4:00 p.m. the court day before your hearing date to request an oral argument in front of the judge. If that



happens, you should go to the court hearing and be prepared to argue your case.

If you are not happy with the tentative ruling, and wish to present arguments in front of the judge, you must call all opposing counsel and/or self-represented parties and the clerk for Department 53 (916- 874-7858) or Department 54 (916-874-7848) no later than 4:00 p.m. the court day before your hearing and state that you are requesting oral argument on the motion. If neither you nor the opposing counsel or self-represented party requests oral argument, the court will simply make the tentative ruling the order of the court, and no oral argument will be permitted.

For information on how to view the tentative ruling online, see <u>Tentative Rulings Information–Law and Motion</u> <u>Calendar (http://www.saccourt.ca.gov/civil/motions-hearings-tentative.aspx)</u> from the Sacramento County Superior Court's website.

### 7. Sheriff Will Release Funds to You

The Earnings Withholding Order remains in effect, and the sheriff will continue to collect on it, until your judgment is fully satisfied, released, or expires (10 years after entry, unless you renew it), or until the debtor's employment is terminated. If the debtor changes jobs, you will need to set up a new wage garnishment.

The sheriff will collect the appropriate amount from each paycheck. A check will be mailed to you at the address shown on the *Application for Earnings Withholding Order (Wage Garnishment)* (WG-001) within 10 days after the funds are collected.

# For Help

SH@LL (Self-Help at the Law Library) (https://saclaw.org/services/civil-self-help/) 609 9<sup>th</sup> Street, Sacramento CA 95814 (916) 476-2731 (Appointment Request Line)

Services Provided: SH@LL provides general information and basic assistance to self-represented litigants on a variety of legal issues. All assistance is provided by telephone. Visit <u>"What we can help with</u> (https://saclaw.org/services/civil-self-help/#canhelp)" for a list of qualifying cases.

*Eligibility:* Must be a Sacramento County resident or have a <u>qualifying case (https://saclaw.org/services/civil-self-help/#who)</u> in the Sacramento County Superior Court.

# For More Information

On the Web:

California Courts Self-Help Website – Collect Your Judgment (http://www.courts.ca.gov/1014.htm)

Enforcement of Judgments\_(https://www.saclaw.org/learn/self-help-videos/?title=&type=3730)

This four-part video series from the Sacramento County Public Law Library's Civil Self Help Center covers the

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most successful methods of collection, including obtaining an earnings withholding order and bank levy.

**California Forms of Pleading and Practice** () KFC 1010 .A65 C3 (Ready Reference) Electronic Access: On the Law Library's computers, using Lexis Advance.

#### California Practice Guide: Enforcing Judgments and Debts KFC 1065 .A9 S3

**Debt Collection Practice in California** KFC 256 .C83 Electronic Access: On the Law Library's computers, using *OnLaw*.

**Enforcing Civil Money Judgments** KFC 1065 .C34 Electronic Access: On the Law Library's computers, using *OnLaw*.

#### How to Collect When You Win a Lawsuit in California KFC 1065 .Z9 H69 (Reference)

#### Matthew Bender Practice Guide: California Debt Collection and Enforcement of Judgments KFC 1065 .E5 M38

Electronic Access: On the Law Library's computers, using Lexis Advance.

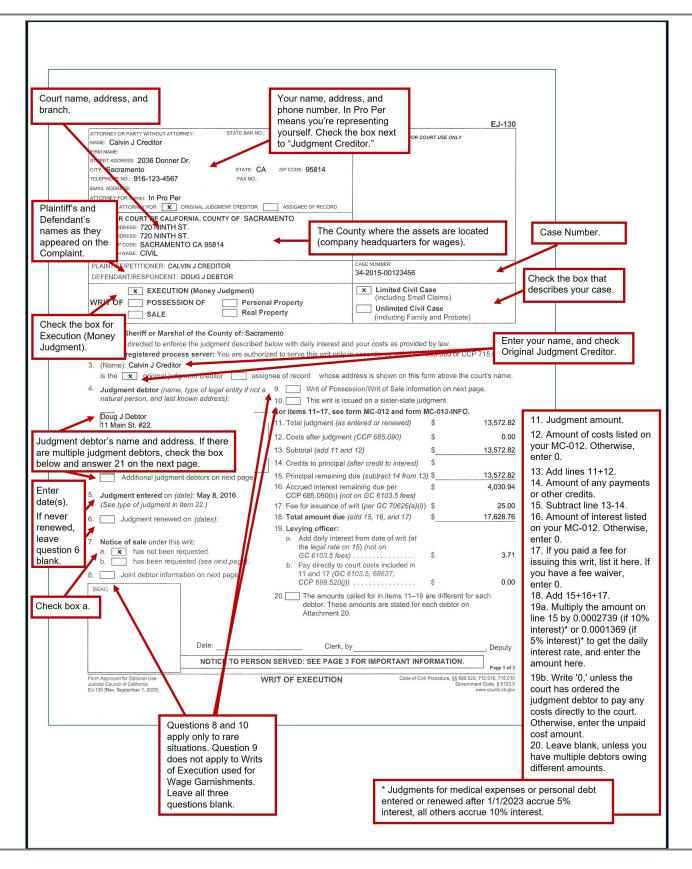


# Samples

Writ of Execution



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This information is not legal advice. Your case may need additional or different actions.



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Writ of Execution (EJ-130) (page 1)



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Plaintiff's and Defendant's names as they appeared on the Complaint.		1	Case number.	
Plaintiff/Petitioner: CALVIN J CREDITOR Defendant/Respondent: DOUG J DEBTOR		CASE NUMBER: 34-2015-00123456		J-13
<ul> <li>22. The judgment is for (check one): <ul> <li>a. wages owed.</li> <li>b. child support or spousal sup.</li> <li>c. x other. Debt Collection</li> </ul> </li> <li>23. Notice of sale has been requested <ul> <li>24. Joint debtor was declared bound</li> <li>a. on (date):</li> <li>b. name, type of legal entity if not a na last known address of joint debtor:</li> <li>c. Additional costs against certain</li> </ul> </li> </ul>	A Writ of Execution is used for a v methods, so the form includes a v If this Writ of Execution will be use Garnishment, questions 22-24 will them blank. by the judgment (CCP 989-994) a. on ( tural person, and last	ariety of collection ariety of questions. ad to start a Wage not apply, so leave (date): ne, type of legal entity if known address of joint	not a natural person, and debtor:	
a. Possession of real property: T (Check (1) or (2). Check (3) it	ile) <b>Judgment</b> was entered for the follo The complaint was filed on <i>(date):</i> f applicable. Complete (4) if (2) or (3) fr of Right to Possession was served in c	ave been checked.)	5.46. The	
judgment includes all ten	ants, subtenants, named claimants, ar	nd other occupants of th	e premises.	
(3) The unlawful detainer res judgment may file a Clain	of Right to Possession was NOT serve sulted from a foreclosure sale of a renta in of Right to Possession at any time up ess of whether a Prejudgment Claim of )	al housing unit. (An occ o to and including the tir	upant not named in the me the levying officer retu	urns
(4) If the unlawful detainer resulted	, from a foreclosure (item 25a(3)), or if CCP 415.46 (item 25a(2)), answer the t		of Right to Possession w	as
	the date the complaint was filed was	-		
(b) The court will hear object	lions to enforcement of the judgment u	nder CCP 1174.3 on th	e following dates (specify	1):
	Item 25 continued on next pag	1e		
				e 2 of

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This information is not legal advice. Your case may need additional or different actions.



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Writ of Execution (EJ-130) (page 2)



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premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises. EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you	Plaintiff's and Defendant's names as they appeared on the Complaint.	Case number.	
Defendant/Respondent: DOUG J DEBTOR         34-2015-00123456           25. b.         Possession of personal property.         if delivery cannot be had, then for the value (itemize in 25e) specified in the judgment or supplemental order.           c.         Sale of personal property.         is all of personal property.           d.         Sale of real property.         is all of personal property.           e.         The property is described         below           Dottice TO PERSON SERVED   WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying Notice of Levy (form EJ-150). WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If outlody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.   WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property pays the judgment creditor takes possession of the premises.   EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, yo may remain in the property null the term is up. If you have a periodic lease or fanzey, suc			EJ-1:
If delivery cannot be had, then for the value ( <i>itemize in 25e</i> ) specified in the judgment or supplemental order.     Sale of personal property.     Sale of real property.     Sale of real property.     MOTICE TO PERSON SERVED     MOTICE TO PERSON SERVED     WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying <i>Natice of Levy</i> (form EJ-150).     WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying <i>Natice of Levy</i> (form EJ-150).     WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises. Will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the promises. EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, yo may remain in the property until the term is up. If you have a periodic lease or tenancy, such as for a most. Heating was sold in a foreclosure, you have additional time before you must vacate the premis			
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	were not named in the judgment for possession and y filed, you may object to the enforcement of the judgme <i>Notice of Hearing</i> (form CP10) and give it to the sherif	ou occupied the premises on the date on which the unlawful detainer car ent against you. You must complete the form <i>Claim of Right to Possessi</i> f or levying officer. A blank form accompanies this writ. You have this rig	se was on and

This information is not legal advice. Your case may need additional or different actions.

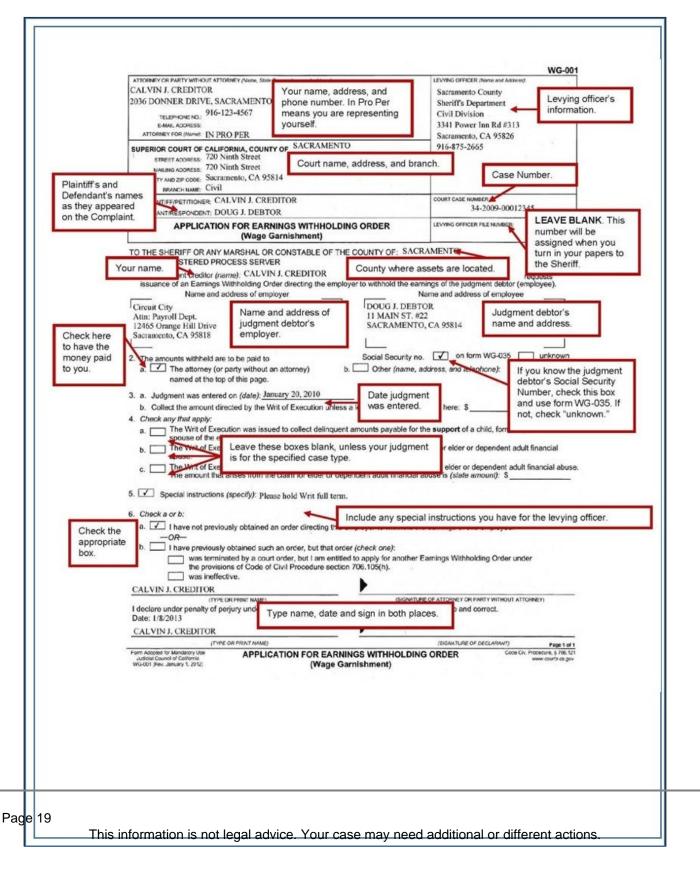


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Writ of Execution (EJ-130) (page 3)



# **Application for Earnings Withholding Order**



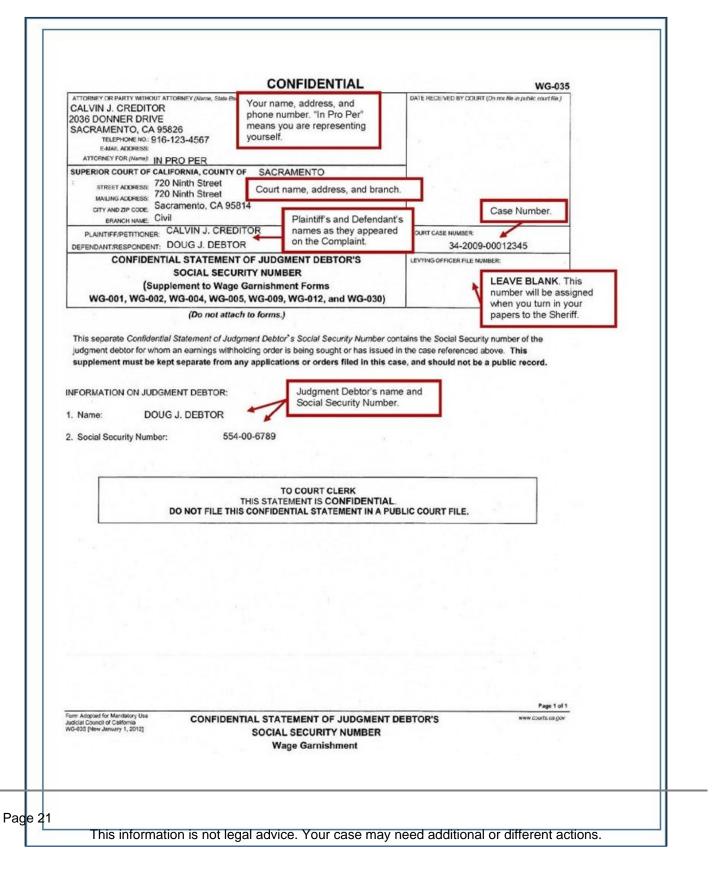


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Application for Earnings Withholding Order (Wage Garnishment) (WG-001)



### **Confidential Statement of Judgment Debtor's Social Security Number**





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#### Confidential Statement of Judgment Debtor's Social Security Number (WG-035)

#### Next steps:

After you provide the Sheriff with the Writ of Execution, the Sheriff will provide copies of the additional required documents, including an Earnings Withholding Order (WG-002), Employer's Return (Wage Garnishment) (WG-005), and the Employee Instructions (Wage Garnishment) (WG-003) to the employer.

If the debtor makes a Claim of Exemption, the Sheriff will send you a Notice of Filing of Claim of Exemption along with a copy of the Claim of Exemption (EJ-160) and Financial Statement (EJ-165). If after you review those documents you feel that the claim of exemption is unjustified, you can set a hearing on the Claim of Exemption. Use the Notice of Hearing on Claim of Exemption to notify the debtor.



# Notice of Opposition to Claim of Exemption

ATTORNEY OR PARTY WITHOUT ATTORNEY	STR / W (2019) 2582	LEVYING OFFICER (Name and Address):	
CALVIN J. CREDITOR 2036 DONNER DRIVE, SACF TELEPHONE NO.: 916-123-		er" Sheriff's Department	ring Officer's mation.
E-MAIL ADDRESS: ATTORNEY FOR (Narre): IN PRO F	yourself. PER	3341 Power Inn Rd #313 Sacramento, CA 95826	
SUPERIOR COURT OF CALIFORM	NIA, COUNTY OF SACRAMENTO		
STREET ADORESS: 720 Ninth MAILING ADORESS: 720 Ninth CITY AND ZIP CODE: SACRAME BRANCH NAME: CIVII	Court name, address, a		
PLAINTIFF/PETITIONER: CALVIN DEFENDANT/RESPONDENT: DOUG	Delendants ha	34-2009-00012343	mber.
NOTICE OF O	OPPOSITION TO CLAIN (Wage Garnishment)	13-0000356	Levying Officer's
TO THE LEVYING OFFICER:			File Number.
1. Name and address of judgme	ent creditor 2. Name ar	nd address of employee	
CALVIN J. CREDITOR 2036 DONNER DRIVE SACRAMENTO, CA 9582	11 MA	J. DEBTOR IN ST. #22 AMENTO, CA 95814 name and address	
	me and address.		
	Social S	Security No. 🔽 on form WG-035	known
	Exemption states it was mailed on		the judgment
(date): May 15, 2012 E	inter the date listed on WG-008.		cial Security
4. The earnings claimed as exer	and the second se	and use for	neck this box m WG-035. If
a. 🔽 not exempt.		ck the appropriate If partially exempt, list	
b. D partially exempt. The		non-exempt amount.	
5 The judgment creditor oppose	es the claim of exemption because	non oxompt anno ann	
		pport of the debtor or the debtor's family (specify)	
Mr. Debtor's por	n-necessary expenses should not take price		•
Debtor's reporte	d expenses are unreasonably high for a ju	dgment debtor. For example he reports	
spending 5000.0		\$300.00 a month on utilities and telephone	
Service, #200 a	exorbitant and not economically feasible for	transportation. These reported expenses and r a judgment debtor.	e
b the debt was for at	ttorney's fees based on a court order under Far	nily Code section 2030, 3121, or 3557.	
c. c other (specify):		If you are willing to accept lower	1
		payment amounts, indicate the	
		acceptable amount here.	
6. The judgment creditor v	will accept: \$	per pay period for payment on account of this	debt.
I declare under penalty of perjury u	under the laws of the State of California that the	a foregoing is true and correct.	
Date:		and a second	
	Enter your name, date and sign.		
		(SIGNATURE OF DECLARANT)	
CALVIN J. CREDITOR	28.80	Pa	ge 1 of 1 705.128
(TYPE OR PRINT NA)	NOTICE OF OPPOSITION TO OF ANY		ts ca.gov
(TYPE OR PRINT NA	NOTICE OF OPPOSITION TO CLAIM ( (Wage Garnishment)		
(TYPE OR PRINT NA) Form Adopted for Mandatory Use Judicial Council of California		0	
(TYPE OR PRINT NA) Form Adopted for Mandatory Use Judicial Council of California			
(TYPE OR PRINT NA) Form Adopted for Mandatory Use Judicial Council of California			
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(TYPE OR PRINT NA) Form Adopted for Mandatory Use Judicial Council of California			
(TYPE OR PRINT NA) Form Adopted for Mandatory Use Judicial Council of California			



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Notice of Opposition to Claim of Exemption (WG-009)



# Notice of Hearing on Claim of Exemption

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, 5	TELEPHONE N TELEPHONE N	D: FOR COURT USE ONLY
_ CALVIN J. CREDITOR	916-123-450	
2036 DONNER DRIVE	Your name, address, and phone	
SACRAMENTO, CA 95826	number. "In Pro Per" means you	
ATTORNEY FOR MANNEE IN PRO PER	are representing yourself.	
ATTORNEY FOR (Neme): IN FRO FER NAME OF COURT, JUDICIAL DISTRICT OR BRANCH O	CURT, IF ANY	
SUPERIOR COURT, COUNT		ame.
PLAINTIFF: CALVIN J. CREDIT	FOR Plaintiff's and Defendant's	
	names as they appeared on	Case Number.
DEFENDANT: DOUG J. DEBTOR	the Complaint.	
NOTICE OF HEARING	G ON CLAIM OF EXEMPTION	LEVYING OFFICER FILE NO. COURT CASE NO.
(Wage Garnishment	-Enforcement of Judgment)	13-0000356 09-00012345
	Levying	g Officer's File Number.
. то:		
Name and address of levy		dress of judgment debtor
Sacramento County Sheriff's		Judgment Debtor's
Civil Division	11 Main St. #22	name and address.
Sour router milling about	evying Officer's Sacramento, CA 9 ame and address.	5814
Sacramento, CA 95826	ame and address.	
Claimant, if other than jue (name and address);		ebtor's attorney
(name and address).	(name and a	adareas):
	11	
1		
L Check ju	udgment debtor.	
A hearing to determine the Check ju		
A hearing to determine the	Enter the date, time and department of yo	
A hearing to determine the		
A hearing to determine the     judgment debtor     other claimant     will be held as follows:	Enter the date, time and department of yo this guide for information about selecting	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012	Enter the date, time and department of yo	your hearing date.
A hearing to determine the     judgment debtor     other claimant     will be held as follows:	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012	Enter the date, time and department of yo this guide for information about selecting	your hearing date.
A hearing to determine the judgment debtor     other claimant     will be held as follows:     a. date: June 19, 2012     time     b. address of court:         813 Sixth Street	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor     other claimant     will be held as follows:     a. date: June 19, 2012 lime     b. address of court:	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 b. address of court: 813 Sixth Street Sacramento, CA 95814	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing.	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ale:	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing.	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ale: Calvin J. Creditor (TYPE OR PEWT NAME)	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	div.: m.:
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PEWET NAME) you do not attend the hearing, the court may	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	div.: m.:
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PRWT NAME) you do not attend the hearing, the court may	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	div.: m.:
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PRWT NAME) you do not attend the hearing, the court may	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	div.: m.:
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PEWLY MAKE) you do not attend the hearing, the court may place of Opposition to Claim of Exemption	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	your hearing date.         div:       m.:         we on the papers filed with the court.         GMATURE OF JUDGMENT CREDUTOR OR ATTORNEY!         on, Financial Statement (when one is required).
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PRWT NAME) you do not attend the hearing, the court may place of Opposition to Claim of Exemption of California	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	your hearing date.
A hearing to determine the judgment debtor other claimant will be held as follows: a. date: June 19, 2012 time b. address of court: 813 Sixth Street Sacramento, CA 95814 The judgment creditor will r ate: Calvin J. Creditor (TYPE OR PEWER NAME) you do not attend the hearing, the court may bloce of Opposition to Claim of Exemption	Enter the date, time and department of yo this guide for information about selecting 2:00 PM dept.: 53 Address of the department holding your hearing. Not appear at the hearing and submits the iss Enter your name, date and sign.	wour hearing date.         div:       rm.:         div:       rm.:         sue on the papers filed with the court.         GMATURE OF JUDGMENT CRED/TOR OR ATTORNEY          on, Financial Statement (when one is required).         Page 1 of 2         YTION

#### | Page 25

This information is not legal advice. Your case may need additional or different actions.



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Notice of Hearing on Claim of Exemption (WG-10) (page 1)



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Case name, usually the last names of the parties.		evying Officer's File N	Number.	WG-010/EJ-175
SHORT TITLE: CREDITOR VS. DEBTOR			LEVYING OFFICER FILE NO 13-0000356	09-00012345
	PROOF	OF SERVICE BY MAIL		Case Number.
I am over the age of 18 and not a party	0.046505.000			My residence or business
address is (specify):		person serving the do		
764 Oak Avenue Sacramento, CA 95834	Address of	serving the do	cumenta.	
I served the attached Notice of Hearing a sealed envelope addressed to each p postage fully prepaid.			ition to Claim of Exemption b iting the envelope in the Uni	
(1) Date of deposit: May 21, 20	12	(2) Place of depo		
MARE	AND ADDRESS OF EACH PE		to, CA 95814	
Doug J. Debtor	ADDRESS OF EACH PI		TAO MAILEU	
11 Main St. #22	Name and address of	the person served	1	
Sacramento, CA 95814			<b>_</b>	
I declare under penalty of perjury under	the laws of the State of Califo	ornia that the foregoing is tru	e and correct.	2
Date: May 21, 2012	Name, date, and sig	nature of person serv	ing documents.	
Sally Server				
(TYPE OR PRINT NAME	PROOF OF SERVI	CE-PERSONAL DE		
I am over the age of 18 and not a party	to this cause. My residence o	And the second of the second sec	ten and the second s	Claim of Exemption
				e served by mail or in
		person.		, the server should
I served the attached Notice of Hearing copies to the person served as shown to		complete	e only the top ha	
				lete only the bottom
Name	Delivery At	RSONS SI half of th	lis form.	
	Date:	Time: A	uu/ess.	
I declare under penalty of perjury under	the laws of the State of Califo	ornia that the foregoing is tru	e and correct.	
Date:				
Date:			(SIGNATURE OF DEC	LARANT
Date: (TYPE OR PRINT)	IAME)			
(TYPE OR PRINT)	NOTICE OF HEARING		IPTION	Page 2 of 2
	NOTICE OF HEARING	ON CLAIM OF EXEN -Enforcement of Judgme	IPTION	Page 2 of 2

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This information is not legal advice. Your case may need additional or different actions.



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Notice of Hearing on Claim of Exemption (WG-10) (page 2)