Sheriff or Server's Return

I certify that I have served this Summons/Writ:

☑ By delivering a copy of the summons/writ to the garnishee. Pintor

☐ By leaving a copy of the summons/writ at the dwelling place or usual abode of each of the garnishees with _____, a person at least 18 years of age residing therein.

☐ Other _____

Served in Pettis (County/City of St.Louis), MO, on 7-19-23 (date) at 13:45 (time).

610
Sheriff/Server

Service Fees
Summons/Writ $ _____
Non Est $ _____
Sheriff's Deputy Salary
Supplemental Surcharge $ 10.00
Mileage $ _____ (_____ miles @ $ _____ per mile)
Total $ _____

FILED
JUL 21 2023
SUSAN SADLER
CLERK CIRCUIT COURT

Instructions to Sheriff/Server

Garnishment

You are commanded to summon the garnishee and attach the property subject to garnishment in the garnishee's possession or charge or under the garnishee's control between the time notice is served and the return date.

Applicable Provisions Relating to Garnishments

525.030 RSMo

2. The maximum part of the aggregate earnings of any individual for any workweek, after the deduction from those earnings on any amounts required by law to be withheld, which is subjected to garnishment may not exceed (a) twenty-five per centum, or, (b) the amount by which the individual's aggregate earnings for that week, after the deduction from those earnings of any amounts required to be withheld by law, exceed thirty times the federal minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 in effect at the time of the earnings are payable, or (c) if the employee is the head of a family and a resident of this state, ten per centum, whichever is less.

The restrictions on the maximum earnings subjected to garnishment do not apply in the case of any order of any court for the support of any person, and order of any court of bankruptcy under chapter XIII of the Bankruptcy Act or any debt due for any state or federal tax.

For pay periods longer than one week, the provisions of subsection 2(a) and (c) of this section shall apply to the maximum earnings subjected to garnishment for all workweeks compensated, and under subsection 2(b) of this section, the "multiple" of the federal minimum hourly wage equivalent to that applicable to the earnings subject to garnishment for one week shall be represented by the following formula: The number of workweeks or fractions thereof (x) x 30 x the applicable federal minimum wage. For the purpose of this formula, a calendar month shall be considered to consist of 4 1/3 workweeks, a semimonthly period to consist of 2 1/6 weeks. The "multiple" for any pay period longer than one week shall be computed in a manner consistent herewith.

The restrictions on the maximum amount of earnings subjected to garnishment shall also be applicable to all proceedings involving the sequestration of wages of employees of all political subdivisions.

The term "earnings" as used herein means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program.

5. No employer may discharge any employee by reason of the fact that the employee's earnings have been subjected to garnishment or sequestration for any one indebtedness.

6. Whoever willfully violates the provisions of subsection 5 of this section is guilty of a misdemeanor.

SCR 90.10

(a) If the garnishee admits in its answers to interrogatories that any property subject to garnishment is in the garnishee's possession, the garnishee, without further order of the court, shall pay or deliver such property into court or to the attorney for the party on whose behalf the order of garnishment was issued not later than ten days after the return date of the writ of garnishment or levy, or, in the case of a continuous wage garnishemnt, not later than ten days after the end of each pay period subject to the garnishment...

15 U.S.C. 1672 Restrictions on Garnishment - Definitions

For the purposes of this subchapter (a) the term "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension to a person or retirement program. (b) The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld. (c) The term "garnishment" means any legal or equitable procedure through which the earnings of any individual are required to be withheld for the payment of any debt.

15 U.S.C. 1673 Restrictions on Garnishment - Maximum Allowable Garnishment

(b)(2) The maximum part of the aggregate disposable earnings of an individual for any workweek which is subject to garnishment to enforce any order for the support of any person shall not exceed:

(A) where such individual is supporting his spouse or dependent child (other than a spouse or child with respect to whose support such order is used, 50 per centum of such individual's disposable earnings for that week; and

(B) where such individual is not supporting a spouse or dependent child described in clause (A), 60 per centum of such individual's disposable earnings for that week; except that, with respect to the disposable earnings of any individual for any workweek, 50 per centum specified in clause (A) shall be deemed to be 55 per centum and the 60 per centum specified in clause (B) shall be deemed to be 65 per centum, if any and to the extent that such earnings are subject to garnishment to enforce a support order with respect to a period which is prior to the twelve-week period which ends with the beginning of such workweek.

IN THE ____ JUDICIAL CIRCUIT, PETTIS COUNTY, MISSOURI

Judge or Division:	Case Number: 12PT-AC01243	
Petitioner(s): EQUABLE ASCENT FINANCIAL, LLC vs.	Date Judgment Entered Against Debtor: May 14, 2013 Original Amount of Judgment: $2,526.31	
Respondent(s): BROOKE ADAMS	Please Issue: Garnishment For: ☐ Bank Account ☐ Bond X Wages ☐ Other _____	Requested Return/End Date: ☐ 30 Days ☐ 60 Days ☐ 90 Days ☐ 120 Days ☐ 150 Days ☐ 180 Day X Continuous (for earnings only)

Garnishment Application and Order

T0692967-2

(This form must be completed in full or your request will be returned unprocessed.)

To (County): PETTIS	Amount Remaining Unpaid (To be completed by Applicant)
Debtor Name/Address: BROOKE ADAMS 346 MCANALLY ST APT 346 SEDALIA MO 65301	Judgment Balance Total Amount of the judgment awarded on the day judgment is entered including, but not limited to, principal, prejudgment interest, and all costs and/or fees. $2,526.31
Debtor SSN: ***-**-5271	Post Judgment Interest $2,679.59
Garnishee Name and Address: Helping All People Pursue Independence (HAPPI), Inc. Morrill, Rhonda Suzanne-PAYROLL 106 E Main St. Sedalia MO 65301	Post Judgment Costs $35.00 Service Fee for this Writ $35.00 Garnishment Clerk Fee Surcharge $10.00 Taxes $.00
Garnishee ID # (court use only): Creditor: EQUABLE ASCENT FINANCIAL, LLC	Child Support/Maint under 12 wks. $.00
Attorney: Daniel S. Rabin, Benjamin N. Hutnick, Adam K. Trimble	Child Support/Maint over 12 wks. $.00
Missouri Bar No.: 37315, 63668, 75157	Other: _____ $.00
A judgment was entered on the above referenced date and remains unsatisfied. The garnishor knows or has reason to believe the garnishee is indebted to debtor. The garnishee is obligated to make periodic payments to debtor, or the garnishee has control/custody of money and/or bonds belonging to debtor.	Less Credits ($.00) TOTAL REMAINING DUE $5,285.90
Signature: _____ Date: May 30, 2023 Address & Telephone Number: Berman & Rabin, P.A. P.O. Box 480707 Kansas City, MO 64148 (913) 649-1555	Instructions for Service and/or Garnishee: Include applicable instructions. For the full SSN, please call: (913) 649-1555 ☐ Continuous wage garnishment (Payment must be made within 10 days after each pay period.)

Requested by Applicant
Make payments to: ☐ Court X Attorney Make Checks Payable To: Daniel S. Rabin, Berman & Rabin, P.A.
Mail Funds To: P.O. Box 480707 Kansas City, MO 64145

Writ of Garnishment (To be completed by Court Clerk)

The State of Missouri to the Sheriff of any County in the State of Missouri
Because a judgment was entered against the above debtor in this court and there is a balance, accrued interest, and costs as stated above unpaid from said judgment, you are commanded to execute this writ by following the instructions on the reverse side of this writ and on the return date shown below to certify to this court how you executed this writ.

COURT SEAL OF PETTIS COUNTY	Issuing County: Pettis	Document ID / Garn Number: 23-GARN-592
	Issue Date: 06/05/2023	Return Date: Continuous
	Issued By (Clerk): *Susan Sadler Circuit Clerk by: /s/ Elizabeth Burnett, Deputy Clerk*	
	Court Address: *415 S Ohio Suite 324, Sedalia, Mo 65301*	

Summons and Instructions to Garnishee

To the Above-Named Garnishee:
You are notified that I attach all goods, personal property, money, credit, bonds, bills, notes, checks, choices in action, or other effects and all debts owed to the above named debtor that are in your possession or charge or under your possession or charge or under your control from this time until the return date or a sufficient sum to satisfy the total amount of garnishment shown above. You are further notified to file your answers to the interrogatories served within ten days after the above return date, or in the case of a continuous wage garnishment, within 20 days from the date on which you are served with the writ.

Date:	Sheriff/Server:
County:	Service Acknowledged By: