

**IN THE [COUNTY COURT / CIRCUIT COURT OF THE [NUMBER] JUDICIAL
CIRCUIT] IN AND FOR [COUNTY] COUNTY, FLORIDA**

CASE NO. [CASE NUMBER]

[PLAINTIFF NAME], Plaintiff,

v.

[DEFENDANT NAME], Defendant.

_____/

DEFENDANT'S MOTION TO DISSOLVE WRIT OF GARNISHMENT

Defendant, [DEFENDANT NAME], moves under section 77.07, Florida Statutes, to dissolve the writ of garnishment issued in this case, and states:

1. On [DATE WRIT ISSUED], the Court issued a writ of garnishment to [GARNISHEE NAME], the garnishee, at Plaintiff's request.
2. Plaintiff served the notice required by section 77.055, Florida Statutes, with a certificate of service dated [DATE ON THE CERTIFICATE OF SERVICE]. This motion is filed and served within 20 days after that date.
3. The following allegation in Plaintiff's motion for writ of garnishment is untrue: [QUOTE OR DESCRIBE AN ALLEGATION THAT APPEARS IN PLAINTIFF'S MOTION — after judgment, that motion states the amount of the judgment, so the allegation to deny is usually the amount still due, for example where the judgment has been paid in full. If the writ issued before judgment, Plaintiff's motion is verified and also alleges that the debt is just, due, and unpaid and that Defendant will not have tangible or intangible property in this state and in this county on which a levy can be made sufficient to satisfy Plaintiff's claim; either of those may be denied here].
4. [OPTIONAL — DELETE IF NOT CLAIMING AN EXEMPTION. This paragraph preserves the exemption in this motion. It does not replace the sworn Claim of Exemption and Request for Hearing served with the writ, which must be filed separately under section 77.041 to obtain the automatic dissolution that section provides] The garnished property is exempt from garnishment because [STATE THE EXEMPTION, for example: the garnished wages are earnings of a head of family exempt under section 222.11, Florida Statutes; or the garnished account holds only exempt funds].
5. Section 77.07(1), Florida Statutes, directs the Court to set this motion for an immediate hearing. Defendant requests that hearing.

WHEREFORE, Defendant requests that the Court dissolve the writ of garnishment, discharge the garnishee, order the release of all garnished wages, funds, and property, and grant any other relief the Court finds just.

CERTIFICATE OF SERVICE

I certify that on [DATE], a true copy of this motion was served by [METHOD OF SERVICE, for example: the Florida Courts E-Filing Portal or U.S. mail] on [PLAINTIFF'S ATTORNEY OR PLAINTIFF, NAME AND ADDRESS] and on [GARNISHEE OR GARNISHEE'S ATTORNEY, NAME AND ADDRESS].

[DEFENDANT NAME], pro se

[STREET ADDRESS]

[CITY, STATE, ZIP]

[TELEPHONE]

[EMAIL ADDRESS]

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