

NO. 324-_____

_____, Judgment Creditor	§	IN THE DISTRICT COURT
	§	
	§	
VS.	§	TARRANT COUNTY, TEXAS
	§	
MERCANTILE BANK TEXAS – ARLINGTON, Garnishee	§	324TH JUDICIAL DISTRICT

PETITION FOR WRIT OF GARNISHMENT

_____, Judgment Creditor, makes application for the issuance of a writ of garnishment against **MERCANTILE BANK TEXAS – ARLINGTON**, Garnishee, and would respectfully show the Court as follows:

1. DISCOVERY CONTROL PLAN LEVEL

1A. Pursuant to Rule 190.1, TRCP, Plaintiff alleges that discovery in this action is intended to be conducted under Discovery Control Plan **Level 1**.

2. PARTIES

2A. Judgment Creditor _____ is an individual who resides in Arlington, Tarrant County, Texas.

2B. Garnishee **MERCANTILE BANK TEXAS – ARLINGTON** is a banking institution chartered by the State of Texas; said Garnishee may be served by service of process upon **Morrie Minshew** or any authorized bank officer at the offices of the bank at 921 West Lamar Boulevard, Arlington, Tarrant County, Texas 76012-2027.

2C. Judgment Debtor _____ is identified for the purpose of the requested writ as follows:

Name:	_____
Last known address (business):	XXX Same Street Arlington, Texas 76012-1937
Last known address (residence):	XXX Same Street Arlington, Texas 76012-1937
Date of birth:	
Social Security no.:	
Texas driver’s license no.:	

3. BASIS FOR ISSUANCE OF WRIT

3A. On October 17, 2002 in the 324th District Court of Tarrant County, Texas, in Cause No. XXX styled XXX, Judgment Creditor _____ obtained and now has a personal judgment against Judgment Debtor _____ in the principal sum of \$5,000.00 with interest thereon at the rate of 10% per annum from On October 17, 2002 until paid; a true and correct copy of said Judgment has been marked “**EXHIBIT A**” and appended hereto.

3B. As of December 15, 2003, the amount of the judgment and applicable interest totals **\$5,581.39**.

3C. The judgment is in all things final, valid and subsisting, and it is wholly unsatisfied and unpaid.

3D. Within Judgment Creditor’s knowledge, Judgment Debtor _____ does not possess property in Texas subject to execution sufficient to satisfy the judgment.

3E. Judgment Creditor has reason to believe that Garnishee is indebted to, or possess non-exempt property belonging to, Judgment Debtor _____.

REQUEST FOR RELIEF

WHEREFORE, Judgment Creditor _____ requests that the writ of garnishment be issued and that Judgment Creditor have judgment against Garnishee to satisfy the above-described judgment against Judgment Debtor. Judgment Creditor further requests judgment for expenses and costs and for all other relief requested in this application. Judgment Creditor further requests general relief.

Respectfully submitted,

State Bar No.

Voice:
Fax:
Attorneys for Judgment Creditor

VERIFICATION

STATE OF TEXAS

§

§

COUNTY OF TARRANT

§

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judgment Creditor _____, who on his oath did depose and say:

“My name is _____. I am a Judgment Creditor in the above-referenced cause. I am over the age of 18 years, I have never been convicted of a crime involving moral turpitude, and I am fully competent to make this affidavit. The statements and assertions set forth in the foregoing Application for Writ of Garnishment are within my personal knowledge and are true and correct.”

_____, **Affiant**

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by _____ on this the 15th day of December 2003.

Notary Public