

United States Bankruptcy Court

APR 15 1993

For the NORTHERN District of IOWA

IN RE: ROBERT D. TYER and
CHRISTINE TYER, Debtors.

Chapter 7

BARBARA A. EVERLY, CLERK

Case No. 92-52179XS

DON HENNINGS,
v.

Plaintiff

ROBERT D. TYER and
CHRISTINE TYER,

Defendants

Adversary Proceeding No. 92-5272XS

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable
WILLIAM L. EDMONDS, United States Bankruptcy Judge, presiding, and
the issues having been duly tried or heard and a decision having been rendered.

[OR]

The issues of this proceeding having been duly considered by the Honorable
WILLIAM L. EDMONDS, United States Bankruptcy Judge, and a decision
having been reached without trial or hearing, upon stipulation of the parties,

IT IS ORDERED AND ADJUDGED:

that Don Hennings shall recover from Robert D. Tyer and Christine Tyer, jointly and severally, the amount of \$14,718.59. This judgment is non-dischargeable under 11 U.S.C. § 523(a)(6). This judgment, pursuant to the agreement of the parties, will be paid in accordance with the stipulation filed in the adversary proceeding on March 30, 1993, and a copy of which is attached hereto as Exhibit "A".

Vol. III.
Page 163



copies mailed with order
on 4/15/93, *5*

BARBARA A. EVERLY
Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 4/15/93

By: *Larry S. [Signature]*
Deputy Clerk

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

MAR 30 1993

BARRBARA A. EVERLY, CLERK

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE: : CHAPTER 7
ROBERT D. TYER and :
CHRISTINE M. TYER, : BANKRUPTCY #92-52179XS
Debtors. :

DON HENNINGS, :
Plaintiff, : ADVERSARY #92-5272XS
vs. :
ROBERT D. TYER and :
CHRISTINE TYER, : SETTLEMENT STIPULATION
Defendants. :

WHEREAS, Robert D. Tyer and Christine Tyer filed a Chapter 7 bankruptcy on November 27, 1992.

WHEREAS, on December 28, 1992, Don Hennings filed a complaint to determine dischargeability of a debt, pursuant to §523(a)(6).

WHEREAS, the parties have reached an amicable settlement in this matter.

IT IS THEREFORE AGREED as follows:

1. That the debt of the debtors to Don Hennings shall not be discharged, in the amount of Fourteen Thousand Seven Hundred Eighteen Dollars and Fifty-nine Cents (\$14,718.59), with interest at 12%, beginning November 30, 1992.

2. That Robert D. Tyer and Christine Tyer shall make payment to Don Hennings, per the attached amortization schedule, with the first payment being due on or before September 1, 1993, in the amount of \$150.00, and continuing



in that amount until April 1, 1994, when the payment shall be increased to \$300.00 a month. The \$300.00 a month payments shall continue until August 1, 2000.

3. That this debt shall be secured by a second mortgage on debtors' residence at:

Part of the West Fractional One-half (W frl 1/2) of the Northwest Quarter (NW 1/4) and part of the Fractional One-half (W frl 1/2) of the Southwest Quarter (SW 1/4) of Section Thirty (30), Township Eighty-eight (88) North, Range Forty-five (45) West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows: Beginning at the Southeast corner of said West fractional One-half (W frl 1/2) of the Southwest Quarter (SW 1/4); thence North Zero Degrees thirty-three minutes thirty-six seconds West (N 0°33'36"W) along the East line of said West Fractional One-half (W frl 1/2) of the Southwest Quarter (SW 1/4) for Two thousand three hundred fifty-five and eighty-nine hundredths feet (2355.89'); thence North Sixty-three degrees zero minutes forty-seven seconds West (N63°00'47"W) for Three hundred seventy and seventy-one hundredths feet (370.71'); thence North Eighty-seven degrees forty-three minutes forty seconds West (N 87°43'40"W) for Two hundred eighty-seven and seventy-eight hundredths feet (287.78'); thence South Zero degrees twenty-one minutes forty-two seconds East (S 0°21'42"E) for Five hundred ninety-seven and fifty-one hundredths feet (597.51'); thence South Eighty-seven degrees thirty-one minutes twenty-three seconds East (S 87°31'23"E) for Five hundred thirty-six and thirty-seven hundredths feet (536.37'); thence South Twelve degrees twenty-three minutes thirty-six seconds East (S 12°23'36"E) for One hundred eleven and twenty-two hundredths feet (111.22'); thence South One degree Eighteen minutes thirty-one seconds East (S 1°18'31"E) for Nine hundred sixty-eight and one tenth feet (968.10'); thence South One degree forty-three minutes forty-three seconds East (S 1°43'43"E) for eight hundred thirty-eight and sixty-four hundredths feet (836.64') to the Southline of said West fractional One-half (W frl 1/2) of the Southwest Quarter (SW 1/4); thence North Ninety degrees zero minutes zero seconds East (N 90°00'00"E) along said Southline for Thirty feet (30.00') to the point of beginning.

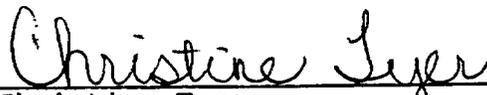
4. That in the event said real estate is sold by the debtors, they shall be entitled to the sum of Two Thousand Dollars (\$2,000.00) from the proceeds of said sale, prior to payment of the second mortgage given Don Hennings.

5. That each party shall pay his/her own attorney fees.

Dated this 24 day of March, 1993.



Robert D. Tyer



Christine Tyer

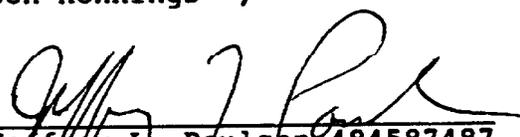


Will L. Forker 1707
232 Davidson Bldg.
Sioux City, IA 51101
ATTORNEY FOR
DEBTORS/DEFENDANTS

Dated this 26 day of March, 1993.



Don Hennings



Jeffrey L. Poulson 484587487
400 Security Bldg., Box 3527
Sioux City, IA 51102
ATTORNEY FOR PLAINTIFF

Copy handed to
filing attorney
on date filed 

NOTE NO	PRINCIPAL	INTEREST TO 11/30/92
7799	\$2,499.99	342.21
7977	\$2,000.00	223.13
8714	\$5,313.71	671.48
9180	\$3,300.00	368.07
TOTAL	\$13,113.70	\$1,604.89
TOTAL	\$14,718.59	

AMORTIZATION SCHEDULE

purchase price		\$0.00
down payment		\$0.00
beginning balance	payment	\$0.00
interest beginning	30-Nov-92 interest rate	\$14,718.59 12.00%

PAYMENT	DATE	AMOUNT	INTEREST	PRINCIPAL	BALANCE
1	30-Nov-92				14718.59
2	01-Feb-93	0	304.8563	-304.856	15023.44628
3	01-Mar-93	0	138.298	-138.298	15161.7443
4	01-Apr-93	0	154.5252	-154.525	15316.26948
5	01-May-93	0	151.0646	-151.065	15467.33405
6	01-Jun-93	0	157.6397	-157.64	15624.97373
7	01-Jul-93	0	154.1093	-154.109	15779.08306
8	01-Aug-93	0	160.817	-160.817	15939.90002
9	01-Sep-93	150	162.456	-12.456	15952.35598
10	01-Oct-93	150	157.3383	-7.33831	15959.69429
11	01-Nov-93	150	162.6577	-12.6577	15972.352
12	01-Dec-93	150	157.5355	-7.53553	15979.88752
13	01-Jan-94	150	162.8635	-12.8635	15992.75103
14	01-Feb-94	150	162.9946	-12.9946	16005.74565
15	01-Mar-94	150	147.3406	2.659437	16003.08621
16	01-Apr-94	300	163.0999	136.9001	15866.18616
17	01-May-94	300	156.4884	143.5116	15722.67457
18	01-Jun-94	300	160.2421	139.7579	15582.91662
19	01-Jul-94	300	153.6945	146.3055	15436.61114
20	01-Aug-94	300	157.3266	142.6734	15293.9377
21	01-Sep-94	300	155.8725	144.1275	15149.81016
22	01-Oct-94	300	149.4228	150.5772	14999.23294
23	01-Nov-94	300	152.8689	147.1311	14852.10184
24	01-Dec-94	300	146.4865	153.5135	14698.58832
25	01-Jan-95	300	149.8048	150.1952	14548.39311
26	01-Feb-95	300	148.274	151.726	14396.66715
27	01-Mar-95	300	132.5282	167.4718	14229.19537
28	01-Apr-95	300	145.0208	154.9792	14074.21621
29	01-May-95	300	138.8142	161.1858	13913.0304
30	01-Jun-95	300	141.7986	158.2014	13754.82895
31	01-Jul-95	300	135.6641	164.3359	13590.49302

32	01-Aug-95	300	138.5113	161.4887	13429.00435
33	01-Sep-95	300	136.8655	163.1345	13265.86982
34	01-Oct-95	300	130.8415	169.1585	13096.71127
35	01-Nov-95	300	133.4788	166.5212	12930.19008
36	01-Dec-95	300	127.5306	172.4694	12757.72072
37	01-Jan-96	300	130.0239	169.9761	12587.74462
38	01-Feb-96	300	128.2915	171.7085	12416.03615
39	01-Mar-96	300	118.3776	181.6224	12234.4137
40	01-Apr-96	300	124.6905	175.3095	12059.10417
41	01-May-96	300	118.9391	181.0609	11878.04327
42	01-Jun-96	300	121.0584	178.9416	11699.10169
43	01-Jul-96	300	115.3884	184.6116	11514.49009
44	01-Aug-96	300	117.3532	182.6468	11331.84325
45	01-Sep-96	300	115.4917	184.5083	11147.33491
46	01-Oct-96	300	109.9463	190.0537	10957.28123
47	01-Nov-96	300	111.6742	188.3258	10768.95544
48	01-Dec-96	300	106.2144	193.7856	10575.16979
49	01-Jan-97	300	107.7798	192.2202	10382.9496
50	01-Feb-97	300	105.8207	194.1793	10188.77035
51	01-Mar-97	300	93.79252	206.2075	9982.562867
52	01-Apr-97	300	101.7401	198.2599	9784.30296
53	01-May-97	300	96.50271	203.4973	9580.805674
54	01-Jun-97	300	97.64547	202.3545	9378.451145
55	01-Jul-97	300	92.49979	207.5002	9170.950937
56	01-Aug-97	300	93.46832	206.5317	8964.419259
57	01-Sep-97	300	91.3634	208.6366	8755.782656
58	01-Oct-97	300	86.3584	213.6416	8542.14106
59	01-Nov-97	300	87.05963	212.9404	8329.200689
60	01-Dec-97	300	82.15102	217.849	8111.35171
61	01-Jan-98	300	82.66912	217.3309	7894.020829
62	01-Feb-98	300	80.45413	219.5459	7674.474959
63	01-Mar-98	300	70.64722	229.3528	7445.12218
64	01-Apr-98	300	75.87905	224.1209	7221.001234
65	01-May-98	300	71.22083	228.7792	6992.222068
66	01-Jun-98	300	71.26319	228.7368	6763.485262
67	01-Jul-98	300	66.70835	233.2917	6530.19361
68	01-Aug-98	300	66.5543	233.4457	6296.747912
69	01-Sep-98	300	64.17507	235.8249	6060.922987
70	01-Oct-98	300	59.77897	240.221	5820.701953
71	01-Nov-98	300	59.32332	240.6767	5580.025272
72	01-Dec-98	300	55.03587	244.9641	5335.061138
73	01-Jan-99	300	54.37377	245.6262	5089.434911
74	01-Feb-99	300	51.87041	248.1296	4841.305316
75	01-Mar-99	300	44.56654	255.4335	4585.871853
76	01-Apr-99	300	46.7382	253.2618	4332.610054
77	01-May-99	300	42.73259	257.2674	4075.342646
78	01-Jun-99	300	41.535	258.465	3816.877645
79	01-Jul-99	300	37.64592	262.3541	3554.523562
80	01-Aug-99	300	36.22693	263.7731	3290.750487
81	01-Sep-99	300	33.53861	266.4614	3024.289094

82	01-Oct-99	300	29.8286	270.1714	2754.117699
83	01-Nov-99	300	28.06936	271.9306	2482.187063
84	01-Dec-99	300	24.48185	275.5182	2206.668908
85	01-Jan-2000	300	22.48989	277.5101	1929.158794
86	01-Feb-2000	300	19.66156	280.3384	1648.820358
87	01-Mar-2000	300	15.72026	284.2797	1364.540617
88	01-Apr-2000	300	13.9071	286.0929	1078.447716
89	01-May-2000	300	10.63674	289.3633	789.084461
90	01-Jun-2000	300	8.042176	291.9578	497.1266368
91	01-Jul-2000	300	4.903167	295.0968	202.0298037
92	01-Aug-2000	300	2.059043	297.941	-95.9111528

United States Bankruptcy Court

NORTHERN District of IOWA

In re ROBERT D. TYER and CHRISTINE TYER,

Bankruptcy Case No. 92-52179XS

Debtor

DON HENNINGS,

Plaintiff

v.

ROBERT D. TYER and CHRISTINE TYER,

Defendant

Adversary Proceeding No. 92-5272XS

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor
DON HENNINGS 2775 - 130TH STREET LAWTON, IA 51030

Amount of Judgment:
\$ 4,677.47

Clerk's Fee:
\$ _____

Other Costs:
\$ _____

vs.

Name and Address of Judgment Debtor
ROBERT D. TYER and CHRISTINE TYER 1247 VANDERBURG CIRCLE SERGEANT BLUFF, IA 51054

Interest From: October 10, 1994 @
\$ \$1.52/day

Costs of this writ:
\$ _____

TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

October 13, 1994
Date

Laura A. Erly
Clerk of the Bankruptcy Court

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By: _____
Deputy Marshal

Recorded 01/11/94
page 163

*referred to Jeffrey Anderson
PO Box 3527, Lawton, IA 51002*

Rev. 9/91

UNITED STATES BANKRUPTCY COURT -- NORTHERN DISTRICT OF IOWA
PROCEEDING MEMO AND ORDER

Date: 4/15/93 Chapter 7 Bankr. No. 92-52179XS

IN RE: Adv. No. 92-5272XS

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

APR 15 1993

BARBARA BREELY, CLERK

DON HENNINGS
vs
ROBERT D. TYER
CHRISTINE TYER

APPEARANCES: Attorney(s) for Plaintiff(s): no one

Attorney(s) for Defendant(s): Wil Forker

U. S. Trustee: _____ Other: _____

NATURE OF PROCEEDING: _____ In Court XX Telephonic

_____ Trial _____ Motion for Summary Judgment
_____ Status Conference _____ Motion to Compel Discovery
_____ Pretrial Conference XX Other STIPULATION

OUTCOME OF PROCEEDING:

The matter having been submitted,
 Having been informed that the matter is settled,
 And findings of fact and conclusions of law having been orally stated,

IT IS ORDERED THAT:

The matter is taken under advisement. Briefs due _____

Settlement documents are to be submitted within 30 days or the matter will be dismissed pursuant to Local Rule 13(D).

JUDGMENT is entered as follows pursuant to Fed.R.Bankr.P. 9021. JB []
(Other)

*Spoke order was entered
granting judgment in
accordance with stipulation.*

copies mailed to:
Wil Forker
Jeffrey Poulson
U. S. Trustee
on 4/15/93, *JB*

SO ORDERED:

Wil Forker
U. S. Bankruptcy Judge

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIVED AND RETURN
U.S. Marshals Service for "Service of Process by the U.S. Marshal"
NORTHERN DISTRICT OF IOWA

NOV 16 1994

PLAINTIFF DON HENNINGS	COURT CASE NUMBER BK 92-52179XS
DEFENDANT ROBERT D. TYER AND CHRISTINE TYER	TYPE OF PROCESS Execution/garnishment

SERVE AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
St. Luke's Regional Medical Center

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
2720 Stone Park Boulevard, Sioux City, IA 51104

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Jeffrey L. Poulson P. O. Box 3527 Sioux City, IA 51102	Number of process to be served with this Form - 285 1
	Number of parties to be served in this case 1
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Please serve Writ of Execution by garnishing all wages now owed and hereafter accruing from St. Luke's Regional Medical Center to employee, Christine Tyer.

Signature of Attorney or other Originator requesting service on behalf of: *Jeffrey L. Poulson*

<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 712-277-1261	DATE 10/28/94
---	----------------------------------	------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <i>Jac</i>	Date 10/31/94
--	---------------	---------------------------	--------------------------	---	---------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)
DAVID BURRACH / COMPENSATION & BENEFITS SPECIALIST

Address (complete only if different than shown above)

Date of Service 11/7/94	Time 1310 pm
Signature of U.S. Marshal or Deputy <i>[Signature]</i>	

Service Fee 40.00	Total Mileage Charges (including endeavors) 1.50	Forwarding Fee —	Total Charges 41.50	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

United States Bankruptcy Court

NORTHERN District of IOWA

In re ROBERT D. TYER and CHRISTINE TYER,

Bankruptcy Case No. 92-52179XS

Debtor

DON HENNINGS,

Plaintiff

v.

ROBERT D. TYER and CHRISTINE TYER,

Defendant

Adversary Proceeding No. 92-5272XS

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor DON HENNINGS 2775 - 130TH STREET LAWTON, IA 51030
--

Amount of Judgment:
\$ 4,677.47

Clerk's Fee:
\$ _____

Other Costs:
\$ _____

vs.

Name and Address of Judgment Debtor ROBERT D. TYER and CHRISTINE TYER 1247 VANDERBURG CIRCLE SERGEANT BLUFF, IA 51054
--

Interest From: October 10, 1994 @
\$ \$1.52/day

Costs of this writ:
\$ _____

TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

October 13, 1994
Date

Laura A. Smith
Clerk of the Bankruptcy Court

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By: _____
Deputy Marshal

UNITED STATES MARSHALS SERVICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
NORTHERN DISTRICT

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

NOV 23 1994

BARBARA A. EVERLY, CLERK

DON HENNINGS,)	BKY NO. 92-52179XS
)	
Plaintiff,)	ADVERSARY NO. 92-5272XS
)	
vs.)	
)	
ROBERT D. TYER and)	
CHRISTINE TYER,)	
)	NOTICE OF GARNISHMENT
Defendant.)	AND INTERROGATORIES

TO St. Luke's Regional Medical Center, 2720 Stone Park Blvd., Sioux City,
IA 51104, as garnishee herein and as supposed debtor of Christine Tyer

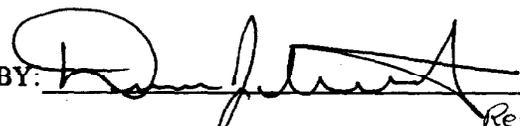
YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$4,677.47 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S. Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P. O. Box 74890, Cedar Rapids, IA 52407, Phone: (319) 362-9696.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the attorney for Plaintiff is Jeffrey L. Poulson P. O. Box 3527 Sioux City, IA 51102 (712) 277-1261

DENNIS H. BLOME
UNITED STATES MARSHAL
101 First Street, SE
Cedar Rapids, IA 52401
Phone: (319) 362-4411

BY: 
Recorded: Vol III
page 163

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes No

1. Are you in any manner indebted to the defendant in this suite, _____, or do you owe him money or property which is not yet due? If so, state particulars: _____

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? No

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: No

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: Yes \$ 28,704.00

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee St. Lukes Med Center By: David Buechler
Comp/Benefit Specialist
Subscribed and sworn to before me this 11 day of Nov,
1994.

By: _____
UNITED STATES MARSHALL DEPUTY

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U. S. Bankruptcy Court
P. O. Box 74890
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U. S. Marshals Service
101 First Street, SE
Cedar Rapids, IA 52401

U.S. Department of Justice
United States Marshals Service

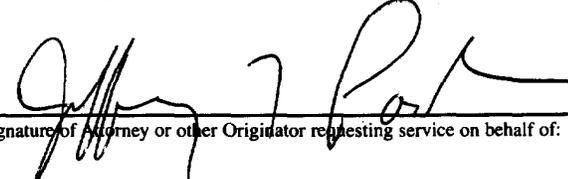
PROCESS RECEIPT AND RETURN
See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF DON HENNINGS	COURT CASE NUMBER BK 92-52179XS
DEFENDANT ROBERT D TYER AND CHRISTINE TYER	TYPE OF PROCESS Execution/garnishment
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>UNITED PARCEL SERVICE</u> ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 1501 Terminal Drive, Sioux City, IA 51105

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	1
Jeffrey L. Poulson P. O. Box 3527 Sioux City, IA 51102 FILED U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF IOWA DEC 7 1994 BARBARA A. EVELLY, CLERK		Number of parties to be served in this case	1
		Check for service on U.S.A.	

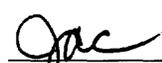
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Please serve Writ of Execution by garnishing all wages now owed and hereafter accruing from United Parcel Service to employee, Robert D. Tyer.

Signature of Attorney or other Originator requesting service on behalf of: 

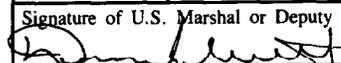
<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 712-277-1261	DATE 11/18/94
---	----------------------------------	------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk 	Date 11/22/94
---	---------------	------------------------------	-----------------------------	---	------------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) DENNY THOMAS, OPERATIONS MANAGER, UPS	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above) UPS OFFICE 90 GATEWAY 2000 NORTH SIOUX CITY, S.D.	Date of Service 11/28/94 Time 1540 pm Signature of U.S. Marshal or Deputy 

Service Fee 40.00	Total Mileage Charges (including endeavors) 4.00	Forwarding Fee -	Total Charges 44.00	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

Recorded: Vol III
page 163

United States Bankruptcy Court

RECEIVED
U.S. MARSHAL
NOV 22 AM 9:35

NORTHERN District of IOWA

N/A
CEDAR RAPIDS

In re ROBERT D. TYER and CHRISTINE TYER,

Bankruptcy Case No. 92-52179XS

Debtor

DON HENNINGS,

Plaintiff

v.

ROBERT D. TYER and CHRISTINE TYER,

Defendant

Adversary Proceeding No. 92-5272XS

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor DON HENNINGS 2775 - 130TH STREET LAWTON, IA 51030
--

Amount of Judgment:
\$ 4,677.47

Clerk's Fee:
\$ _____

Other Costs:
\$ _____

Interest From: October 10, 1994 @
\$ 1.52/day

Costs of this writ:
\$ _____

vs.

Name and Address of Judgment Debtor ROBERT D. TYER and CHRISTINE TYER 1247 VANDERBURG CIRCLE SERGEANT BLUFF, IA 51054
--

TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

October 13, 1994
Date

Laura A. Erby
Clerk of the Bankruptcy Court

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By: _____
Deputy Marshal

UNITED STATES MARSHALS SERVICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
NORTHERN DISTRICT

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

DEC 27 1994

BARBARA A. EVERLY, CLERK

DON HENNINGS,)	BKY NO. 92-52179XS
)	
Plaintiff,)	ADVERSARY NO. 92-5272XS
)	
vs.)	
)	
ROBERT D. TYER and)	
CHRISTINE TYER,)	
)	NOTICE OF GARNISHMENT
Defendant.)	AND INTERROGATORIES

TO UNITED PARCEL SERVICE, 1501 Terminal Drive, Sioux City,

IA 51105, as garnishee herein and as supposed debtor of Robert D. Tyer

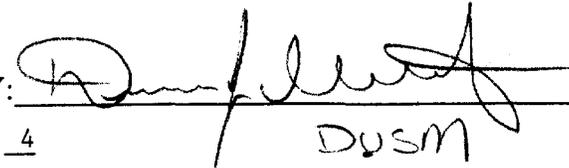
YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$4,677.47 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S. Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P. O. Box 74890, Cedar Rapids, IA 52407, Phone: (319) 362-9696.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the attorney for Plaintiff is Jeffrey L. Poulson P. O. Box 3527 Sioux City, IA 51102 (712) 277-1261

DENNIS H. BLOME
UNITED STATES MARSHAL
101 First Street, SE
Cedar Rapids. IA 52401
Phone: (319) 362-4411

BY: 
DUSM

Copy to US Marshal
12-27-94 mg

Recorded:
Vol 6-III
page 163

DATE: 12/31/1994

ASSIGN/LEVY AMOUNT REFERENCE NUMBER

EMPLOYEE NAME	ASSIGN/LEVY AMOUNT	REFERENCE NUMBER
34 TYER, ROBERT	398.97	92-52179XS
TOTALS	398.97	

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FIL
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA: DEC 27 1994

Is the defendant employed by you at this time? ^{BARBARA A. EVERLY, CLERK} Yes No

1. Are you in any manner indebted to the defendant in this suite, NO, or do you owe him money or property which is not yet due? ~~No~~ If so, state particulars: _____

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? NO

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: NO

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: NO

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Doug Lominer By: UPS

Subscribed and sworn to before me this _____ day of _____, 1994.

Dennis H. Blome By: _____
UNITED STATES MARSHALL DEPUTY

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:
Clerk, U. S. Bankruptcy Court
P. O. Box 74890
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U. S. Marshals Service
101 First Street, SE
Cedar Rapids, IA 52401

*Copy to US Marshall
12-27-94
my*



United Parcel Service
 2609 DIXON STREET
 DES MOINES, IA 50316

233452 64-1278
 611

CHECK DATE
 12/23/94

PAY TO THE ORDER OF

CHECK AMOUNT
 \$398.97

233452

CLERK U.S. BANKRUPTCY COURT
 PO BOX 74090
 CEDAR RAPIDS IA 52407

THREE HUNDRED NINETY EIGHT AND 97/100 DOLLARS

Iowa District

PRESENT THROUGH

92-5272XS

By

Matthew Brown

⑈00233452⑈ ⑆061112788⑆ 011 01 377⑈

**UNITED STATES
 BANKRUPTCY COURT**
 Northern District of Iowa
 Cedar Rapids Division

00009383 - DR
 December 27, 1994

Code	Case #	Qty	Amount
REGISTRY	92-5272-XS		398.97 CH
Total ->			398.97

FROM: UNITED PARCEL SERVICE
 2609 DIXON STREET
 DES MOINES, IA 50316

VOL. III
 Pg. 163

CARB-OUT
DE LUXE CHECK PRINTERS, INC.
DOUBLE VOUCHER

CLERK UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

271

Dec. 30, 19 94

X-47-1
739 O

PAY TO THE ORDER OF JEFFREY L. POULSON, ATTY FOR DON HENNINGS, PLFF. \$ 398.97

THREE HUNDRED NINETY-EIGHT and 97/100----- DOLLARS

Merchants National Bank
Cedar Rapids, Iowa 52401



Per Court Order 4-15-93

Letha Hamill

LETHA HAMILL
Deputy Clerk

⑈00027⑈ Ⓜ0739000⑈ 121287072⑈

CLERK UNITED STATES
BANKRUPTCY COURT

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM DVC-2 V-7

RE: DON HENNINGS vs ROBERT D. and CHRISTINE TYER
ADV. NO. 92-5272XS

Garnishment of Robert Tyer pursuant to judgment entered by this Court
on 4-15-93. Funds received for on 12-27-94.

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Pg. 163



United Parcel Service
 2609 DIXON STREET
 DES MOINES, IA 50316

236411 ⁶⁴⁻¹²⁷⁸/₆₁₁

CHECK DATE
 1/27/95

PAY TO THE ORDER OF

CHECK AMOUNT
 \$1.03

236411

CLERK U.S. BANKRUPTCY COURT
 PO BOX 74890
 CEDAR RAPIDS IA 52407

ONE AND 3/100 DOLLARS

PRESENT THROUGH

92-5272XS

Iowa District

By

Scott Burrows

⑈00236411⑈ ⑆061112788⑆ 011 01 377⑈

DIRECT INQUIRIES TO:



UNITED PARCEL SERVICE - IOWA DISTRICT
 P.O. BOX 4946
 DES MOINES, IA 50306 CK. N

INVOICE NUMBER	INVOICE AMOUNT	REMITTANCE REMARK
0T012695	1.03	SEE ATTACHED

**UNITED STATES
 BANKRUPTCY COURT**
 Northern District of Iowa
 Cedar Rapids Division

00009654 - RH
 January 30, 1995

Code	Case #	Qty	Amount
REGISTRY	92-5272XS		1.03 CH
Debtor - Tyer			

Total -> 1.03

FROM: UNITED PARCEL SERVICE
 2609 DIXON STREET
 DES MOINES, IA 50316

VOL. III
 Pg. ~~267~~
 163

W/E DATE: 01/31/1995

JYEE	EMPLOYEE NAME	D	ASSIGN/LEVY AMOUNT	REFERENCE NUMBER
50584	TYER, ROBERT	D	1.03	92-52179XB
TOTALS			1.03	
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CARB-OUT

DE LUXE CHECK PRINTERS, INC.
DOUBLE VOIDERS

CLERK UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

278

March 21, 1995

X 47-1
739 O

PAY TO THE ORDER OF JEFFREY L. POULSON, ATTY FOR DON HENNINGS, PLFF. \$ 1.03

ONE and 03/100----- DOLLARS

Merchants National Bank
Cedar Rapids, Iowa 52401



Per Court Order 4-15-93

Letha Hamill

⑈000278⑈ ⑆⑆0739000⑆14⑆ 121287072⑈ LETHA HAMILL
Deputy Clerk

DELUXE CHECK PRINTERS

CLERK UNITED STATES
BANKRUPTCY COURT

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM DVC-2 V-7

RE: DON HENNINGS vs ROBERT D and CHRISTINE TYER
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