

Motion for Release of Judgment (by Defendant – Judgment Debtor)

Use this form when:

You are the Defendant (Judgment Debtor) and

- You believe you have paid or otherwise satisfied the Judgment in full but the Plaintiff has not filed or has refused to file a Release of Judgment

NOTE: You must be prepared to be able to document that you have paid or otherwise fully satisfied the Judgment completely.

This form has three parts: (1) Motion (2) Order and Notice (3) Release of Judgment.

- You must fully complete and sign the Motion.
- You must complete only the top half of the Order and Notice. This form has a front and a back. Print both sides of this Order and Notice.
- You must complete only the top half of the Release of Judgment.

Print and bring all forms to court.

SCROLL DOWN FOR Motion for Release of Judgment

VERIFIED MOTION FOR RELEASE OF JUDGMENT
[to be filed by Defendant (Judgment Debtor)]

TIPPECANOE SUPERIOR COURT No. 4

Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9266 www.tippecanoe.in.gov

CAUSE NO. 79D04-_____ -PL/SC-_____

Plaintiff 1 _____	Defendant 1 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

Plaintiff 2 _____	Defendant 2 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

If Plaintiff is represented by an Attorney:
Attorney _____
Attorney No. _____
Address _____
Address _____
City _____ State _____ Zip _____
Telephone (_____) _____
Email _____

If Defendant is represented by an Attorney:
Attorney _____
Attorney No. _____
Address _____
Address _____
City _____ State _____ Zip _____
Telephone (_____) _____
Email _____

VERIFIED MOTION FOR RELEASE OF JUDGMENT
[Attach Order and Notice and Release of Judgment]

Comes now the Defendant(s) (Judgment Debtor) and requests the Judgment entered against the Defendant in this case be released. In support, the Defendant would show that:

1. A judgment was entered in the cause on or about _____.
2. The Defendant has fully satisfied and paid this Judgment including accrued interest and court costs.
[**DEFENDANT:** attach documentation proving this Judgment has been paid and satisfied in full]
3. Any garnishment Order should be terminated.
4. The Plaintiff (Judgment Creditor) has failed to file a Release of Judgment.

I swear or affirm under penalties for perjury, as specified in I.C. 35-44-2-1, the information herein is true and accurate to the best of my knowledge and belief and that on the date this Motion was filed, I served a copy of this Motion on the Plaintiff (Judgment Creditor) by: U.S. Mail (1st class) to the address of the other party as listed above.
 Email to the address of the other party as listed above.
 Other: _____.

_____, 20_____
Date

Judgment Debtor/Defendant

ORDER and NOTICE TO JUDGMENT CREDITOR

TIPPECANOE SUPERIOR COURT No. 4

CAUSE NO. 79D04-_____ -PL/SC-_____

Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9266

Plaintiff 1 _____	Defendant 1 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

Plaintiff 2 _____	Defendant 2 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

If Plaintiff is represented by an Attorney:
 Attorney _____
 Attorney No. _____
 Address _____
 Address _____
 City _____ State _____ Zip _____
 Telephone (_____) _____
 Email _____

If Defendant is represented by an Attorney:
 Attorney _____
 Attorney No. _____
 Address _____
 Address _____
 City _____ State _____ Zip _____
 Telephone (_____) _____
 Email _____

ORDER and NOTICE TO JUDGMENT CREDITOR

Pursuant to Small Claims Rule 11(D), the Court notifies the Plaintiff (Judgment Creditor) he/she/they have thirty (30) days from the date of the issuance of this Order to file a verified objection to the Release of Judgment if the Plaintiff does not agree that the Judgment has been satisfied. If the Plaintiff does not file a verified objection within thirty (30) days, the Judgment shall be deemed satisfied. The Court will issue a Release of Judgment and the Clerk will be directed to show the satisfaction and release of the Judgment upon the Judgment Docket.

SO ORDERED:

Date

Mathew S. Sandy, Judge
Tippecanoe Superior Court 4

COPY: Plaintiff Attorney for plaintiff Defendant Attorney for defendant Clerk

ORDER GRANTING MOTION FOR RELEASE OF JUDGMENT

TIPPECANOE SUPERIOR COURT No. 4

Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9266

CAUSE NO. 79D04-_____ -PL/SC-_____

Plaintiff 1 _____	Defendant 1 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

Plaintiff 2 _____	Defendant 2 _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

If Plaintiff is represented by an Attorney:

Attorney _____

Attorney No. _____

Address _____

Address _____

City _____ State _____ Zip _____

Telephone (_____) _____

Email _____

If Defendant is represented by an Attorney:

Attorney _____

Attorney No. _____

Address _____

Address _____

City _____ State _____ Zip _____

Telephone (_____) _____

Email _____

ORDER GRANTING MOTION FOR RELEASE OF JUDGMENT

Pursuant to this Court's previous Order and Notice to Judgment Creditor and Small Claims Rule 11(D), no response or objection to Judgment Debtor's Verified Motion for Release of Judgment has been filed within thirty (30) days from the date of the issuance of this Order. Further, the Court finds the Judgment Debtor has demonstrated by a preponderance of the evidence this Judgment has been satisfied in full and there is a reasonable probability the Judgment Creditor received notice of the previous Order and Notice to Judgment Creditor.

Therefore, the Court now GRANTS the Verified Motion for Release of Judgment. This Judgment is deemed to be satisfied in full.

Any Garnishment Order entered in this cause is vacated as of the date of this Order. Any monies held by the Clerk or the Garnishee-Defendant in excess of the Judgment are ORDERED refunded to the Defendant (Judgment Debtor).

The Clerk of Tippecanoe County is directed to note this release upon the Judgment Docket.

SO ORDERED:

Date

Laura W. Zeman, Judge
Tippecanoe Superior Court 4

COPY: Plaintiff Attorney for plaintiff Defendant Attorney for defendant Clerk