

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

DWIGHT GRUBB

*

Plaintiff

*

vs.

*

Case No. C-15-FM-22-000902

JAMILLE GRUBB

*

Defendant

*

EARNINGS WITHHOLDING ORDER

The requirements of the provisions of *Family Law Article*, §10-120 et seq. of the *Annotated Code of Maryland* having been met, and the matter being fully considered, it is by the Circuit Court for Montgomery County, Maryland,

ORDERED, that earnings withholding be and is hereby in effect on the earnings of Plaintiff, **DWIGHT GRUBB**, Social Security No. XXX-XX-2806 at: Balfour Beatty, 1200 McMahon Road, Wheaton, MD 20902, or any future employer of the Plaintiff on whom a copy of this Order is served, in the amount of \$1,400.00 per month; and it is further

ORDERED, that Plaintiff's accrued child support arrears for the period of August 1, 2022, and June 5, 2023, total \$8,300.00, and that by agreement of the parties, collection of said arrearage was suspended as of June 5, 2023; and it is further

ORDERED, that Plaintiff's employer shall pay the said child support payment withheld from Plaintiff's earnings to Defendant, **JAMILLE GRUBB**, through the "Maryland Child Support Account", P.O. Box 17396, Baltimore, MD 21297-1396,

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referencing Family Law No. C-15-FM-22-000902, Circuit Court for Montgomery County, Maryland; and it is further

ORDERED, that the employer may deduct and retain from the employee's wages an additional Two Dollars (\$2.00) for each deduction made under this Order; and it is further

ORDERED, that subject to Federal Law, this Earnings Withholding Order has priority over any other lien or legal process; and it is further

ORDERED, that upon willful violation of this Order, the employer shall be subject to civil penalties; and it is further

ORDERED, that subject to further Orders of Court, the employer is required to withhold the stated amount on a regular and continuing basis commencing on the beginning of the next pay period after receipt of this Order; and it is further

ORDERED, that no amount is to be withheld from the payor's earnings that is in excess of the amount permitted under the Federal Consumer Credit Protection Act, such limits being set forth in the U.S. Code, Title 15, Chapter 41, Sections 1672 and 1673, a copy of which is attached hereto; and it is further

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ORDERED, that within ten (10) days after the employer receives notice of the payor's decision to terminate employment or within ten (10) days after the termination, whichever event occurs earlier, the employer shall notify the court and the payee of said termination and forward to the court any available information as to the payor's Social Security Number, home address and new place of employment.

A handwritten signature in blue ink, reading "Louis Leibowitz", is written over a horizontal line.

Honorable Louis M. Leibowitz, Judge
Circuit Court for Montgomery County

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1672. 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 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 payment of any debt.

(Pub.L. 90-321, Title III, 392, May 29, 1968, 82 Stat. 162)

1673. RESTRICTION ON GARNISHMENT

Maximum allowable garnishment

(a) Except as provided in subsection (b) of this section and in section 1675 of this title, the maximum part of the aggregate disposable earnings of an individual for any workweek which is subjected to garnishment may not exceed

(1) 25 per centum of his disposable earnings for that week, or

(2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage prescribed by section 206(a)(1) of Title 29 in effect at the time the earnings are payable, whichever is less. In the case of earnings for any pay period other than a week, the Secretary of Labor shall by regulation prescribe a multiple of the Federal minimum hourly wage equivalent in effect to that set forth in paragraph (2).

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Exceptions

(b)(1) The restrictions of subsection (a) of this section do not apply in the case of

(A) any order for the support of any person issued by a court of competent jurisdiction or in accordance with an administrative procedure, which is established by State law, which affords substantial due process, and which is subject to judicial review.

(B) any order of any court of the United States having jurisdiction over chases under chapter 13 of Title 11.

(C) any debt due for any State or Federal tax.

(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 such 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, the 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 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.

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