

4-801. Writ of execution.

[For use with Rules 2-801 and 3-801 NMRA]

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE MAGISTRATE COURT

No. _____

_____, Plaintiff
_____, Plaintiff's Address

v.

_____, Defendant
_____, Defendant's Address

WRIT OF EXECUTION

THE STATE OF NEW MEXICO to the sheriff or a full-time salaried deputy sheriff of any New Mexico county:

Judgment having been entered in this action, you are ordered to levy against personal property of _____ at _____ in your county, the sum of \$ _____ (*which is the judgment and costs to date*) plus interest at the rate of _____ % per year from the _____ day of _____, _____ (*date of judgment*), and your fees thereon, and return this writ to me within sixty (60) days.

_____, _____
Judge or clerk

(This form may also be issued as a second or subsequent writ.)

RETURN

I certify that I carried out this writ of execution, as follows:
(check appropriate box or boxes and fill in blanks)

- The writ was served on judgment debtor on _____, _____, and
 full payment was made
 partial payment was made in the amount of \$ _____

- No non-exempt personal property of judgment debtor was found on which levy could be made.

Property seized:

- Personal property was taken into custody on _____, _____. A written inventory is attached.

[] Judgment debtor provided bond to retain possession; a copy of the bond is attached.
Date of return: _____

SHERIFF OF _____
COUNTY, State of New Mexico
By _____
Deputy or other authorized person

USE NOTES

The sheriff is obligated by law to make timely return.

Only non-exempt property may be seized. The sheriff may not seize any personal clothing, furniture or books or any jewelry unless the total value of all jewelry exceeds \$2,500.
[As amended, effective July 1, 1992; January 1, 1995; January 1, 1996.]