

Case No. _____

Dept. No. _____

**In the District Court of the Fourth Judicial District
Of the State of Nevada, in and for the County of Elko**

EXECUTION

THE STATE OF NEVADA

TO THE SHERIFF OF _____ GREETINGS:

WHEREAS, on the _____ day of _____, _____, Plaintiff__ recovered a judgment in the said Fourth Judicial District Court of the State of Nevada, in and for the County of Elko, against _____ for the sum of _____ Dollars, with interest _____ at the rate of _____ % per _____ until paid, together with \$ _____, costs and disbursements at the date of said judgment, and attorney fee of \$ _____, and accruing costs amounting the sum of \$ _____, as appears to us of record.

AND WHEREAS, the said Judgment was docketed in said Clerk's office in the said Elko County, on the day and year first above written. Payments and partial satisfaction in the amount of \$ _____ appear of record as a credit.

AND the sum of \$ _____, with interest is now (at the date of this writ) actually due on said Judgment, with interest accruing on the sum of \$ _____, in the amount of \$ _____ per day.

NOW YOU, the SAID SHERIFF, Are hereby required to make the said sums due on the said Judgment, with interest as aforesaid, and costs, fees and accruing costs, to satisfy the said Judgment, out of the personal property of said debtor, except that for any pay period, 75 percent of the disposable earnings of the Defendant__ during such period, or the amount by which the disposable earnings for such period exceed 30 times the minimum hourly wage prescribed by the federal Fair Labor Standards Act in effect at the time the earnings are payable, whichever is greater is exempt or, if sufficient property of said debtor cannot be found, then out of the real property in your county belonging to defendant__ on the day whereon said Judgment was docketed in the aforesaid Elko County, or at any time thereafter; and make return on this Writ within not less than 10 days nor more than 60 days after your receipt hereof, with what you have done indorsed hereon.

WITNESS, THE HONORABLE _____
Judge of the Fourth Judicial District of the State of Nevada,
At the Courthouse, in the County of Elko, this _____ day of _____.

ATTEST, My hand and the seal of said Court, the day and year last above written.

WIN SMITH, County Clerk

_____, Deputy

NOTE—Claims that property levied on is exempt must be supported by affidavit and filed with Clerk and served on Sheriff with 5 days after the levy.

**In the District Court of the Fourth Judicial District
Of the State of Nevada, in and for the County of Elko**

Plaintiff,

vs.

Defendant.

TO: _____

You are hereby notified that I, the undersigned Sheriff, by virtue of the within Writ of Execution, do levy upon all effects, moneys and credits due or owing or property of defendant__ now in your possession or under your control: you are further required not to deliver said property to any person other than myself.

Please make statement.

Dated: _____.

Sheriff of Elko County, Nevada

By _____, Undersheriff

CERTIFICATE OF SERVICE

I, the undersigned Sheriff of the County of _____, State of Nevada, do hereby certify that I receive the within Writ of Execution on the _____ day of _____, _____ and I served the same on the following persons, by delivering a copy thereof to the persons indicated and at the place indicated, namely:

_____ at _____
on _____, _____.

Total Fees \$ _____ plus mileage of \$ _____.

Sheriff of Elko County, Nevada

Deputy

Dated: _____.

NOTICE OF EXECUTION

YOUR PROPERTY IS BEING ATTACHED OR YOUR WAGES ARE BEING GARNISHED

A court has determined that you owe money to _____, the judgment creditor. He has begun the procedure to collect that money by garnishing your wages, bank account and other personal property held by third persons or by taking money or other property in your possessions.

Certain benefits and property owned by you may be exempt from execution and may not be taken from you. The following is a partial list of exemptions:

1. Payments received under the Social Security Act.
2. Payments for benefits or the return of contributions under the public employee's retirement system.
3. Payments for public assistance granted through the welfare division of the department of human resources.
4. Proceeds from a policy of life insurance.
5. Payments of benefits under a program of industrial insurance.
6. Payments received as unemployment compensation.
7. Veteran's benefits.
8. A homestead in a dwelling or a mobile home, not to exceed \$125,000 unless the judgment is for a medical bill, in which case all the primary dwelling, including mobile or manufactured home, may be exempt.
9. A vehicle, if your equity in the vehicle is less than \$1,500.
10. Seventy-five percent of the take home pay for any pay period, unless the weekly take home pay is less than 30 times the federal minimum wage, in which case the entire amount may be exempt.
11. Money, not to exceed \$100,000 in present value, held for retirement pursuant to certain arrangements or plans of sections 401 et seq. of the Internal Revenue Code (26 U.S.C. §§ 401 et. Seq.).
12. All money and other benefits paid pursuant to the order of the court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the state.
13. All money and other benefits paid pursuant to the order of the court of competent jurisdiction for the support and maintenance of a former spouse, including the amount of any arrearages in the payment of such support and maintenance to which the former spouse may be entitled.
14. A vehicle for use by you or your dependent, which is specially equipped or modified to provide mobility for a person with a permanent disability.
15. A prosthesis or any equipment prescribed by a physician or dentist for you or your dependent.

These exemptions may not apply in certain cases such as a proceeding to enforce a judgment for support of a person or a judgment of foreclosure on a mechanic's lien. You should consult an attorney immediately to assist you in determining whether your property or money is exempt from execution.

PROCEDURE FOR CLAIMING EXEMPT PROPERTY

If you believe that the money or property taken from you is exempt, you must complete and file with the clerk of the court a notarized affidavit claiming the exemption. A copy of the affidavit must be served upon the sheriff and the judgment creditor within 8 days after the notice of execution is mailed. The property must be returned to you within 5 days after you file the affidavit unless you or the judgment creditor files a motion for a hearing to determine the issue of exemption. If this happens, a hearing will be held to determine whether the property or money is exempt. The motion for the hearing to determine the issue of exemption must be filed within 10 days after the affidavit claiming exemption is filed. The hearing to determine whether the property or money is exempt must be held within 10 days after the motion for hearing is filed.

IF YOU DO NOT FILE THE AFFIDAVIT WITHIN THE TIME SPECIFIED, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT.