



DISTRICT COURT OF MARYLAND FOR

City/County

Located at

Court Address

Case No.

Plaintiff/Judgment Creditor

Defendant/Judgment Debtor

VS.

Street Address

Street Address

City

State

Zip

City

State

Zip

REQUEST FOR WRIT OF EXECUTION (Md. Rule 3-641)

Please issue a Writ of Execution directing the sheriff to levy upon property of Judgment Debtor to satisfy the judgment entered in this case in the amount of \$... amount claimed on attachment before judgment. If levy is to be made upon real property located in the county other than Baltimore City, a Notice of Lien was filed in the Circuit Court for... on... Date...

THE AMOUNT NOW DUE on the judgment is as follows:

- \$... Original amount of judgment (excluding costs and attorney's fees)
\$... Less total credits
\$... Net
\$... Plus pre-judgment interest on \$... at ...% for period from... to...
\$... Plus court costs due, including this Writ.
\$... Plus additional costs/fees awarded.
\$... Plus post-judgment interest on \$... at ...% for period from... to...
\$... Plus attorney's fees awarded by the court.
\$... TOTAL DUE ON JUDGMENT

INSTRUCTIONS TO SHERIFF

The Judgment Debtor's last known address is... The property to be levied is located at... and described as...

The sheriff is to leave the property where found. exclude others from access to it or use of it. remove it from the premises.

Form with fields for Date, Telephone Number, Fax, E-mail, Signature of Attorney/Plaintiff, Attorney Number, Printed Name, Address, City, State, Zip

WRIT OF EXECUTION OF PROPERTY

To the Sheriff/Constable of... County/City: The Plaintiff filed a Request for Writ of Execution on... You are to levy upon the property listed below:

After levy you are to carry out the instructions of the Plaintiff as to the property, provided that, if bond is required for the payment of expenses that may be incurred by you in complying with Writ, it has been posted in the amount and with the security approved by you.

Form with fields for Date, Clerk

## **NOTICE TO SHERIFF (Md. Rule 3-642)**

**(a) Levy Upon Real Property.** - Except as otherwise provided by law, the sheriff shall levy upon a judgment debtor's interest in real property pursuant to a Writ of Execution by entering a description of the property upon a Schedule and by posting a copy of the Writ and the Schedule in a prominent place on the property.

**(b) Levy Upon Personal Property.** - Except as otherwise provided by law, the sheriff shall levy upon a judgment debtor's interest in personal property pursuant to a Writ of Execution by obtaining actual view of the property, entering a description of the property upon a Schedule, and (1) removing the property from the premises, or (2) affixing a copy of the Writ and Schedule to the property, or (3) posting a copy of the Writ and Schedule in a prominent place in the immediate vicinity of the property and affixing to each item of property a label denoting that the property has been levied upon by the sheriff, or (4) posting a copy of the Writ and Schedule in a prominent place in the immediate vicinity of the property without affixing a label to each item of property, if affixing a label to each item of property is possible but not practical.

**(c) Possession of Personal Property By Third Person.** - When the sheriff has been instructed to remove the property from the premises or exclude others from access or use and finds the property in the possession of a person, other than the judgment debtor, who asserts entitlement to possession and objects to the sheriff's removal of it or exclusion of that person from access or use, the sheriff shall notify the person retaining possession of the property of the legal effect of the levy.

**(d) Notice of Levy.** - The sheriff shall furnish a copy of the Writ of Execution and Schedule to any person found by the sheriff to be in possession of the property. If that person is not the judgment debtor, the sheriff shall also mail a copy of the Writ and Schedule to the judgment debtor's last known address.

**(e) Return.** - Following a levy, the sheriff shall promptly file a return together with the Schedule. If the Writ of Execution was received from another county under Rule 3-641(b), a copy of the Return and Schedule shall also be filed in the county where the judgment was entered.

## **NOTICE TO DEFENDANT**

The Court has ordered that your goods or land should be levied upon sold, and the proceeds used to pay the amount of the judgment and court costs shown on the Writ of Execution. THE FOLLOWING ITEMS ARE EXEMPT UNDER THE ANNOTATED CODE OF MD FROM EXECUTION OR JUDGMENT AND MAY NOT BE LEVIED UPON BY THE SHERIFF OR CONSTABLE. (Other Federal exemptions may be available.) These exemptions do not apply to an Attachment Before Judgment.

1. Wearing apparel, books, tools, instruments, or appliances, in an amount not to exceed \$5,000 in value necessary for the practice of any trade or profession except those kept for sale, lease, or barter.
2. Money payable in the event of sickness, accident, injury, or death of any person, including compensation for loss of future earnings. This exemption includes but is not limited to money payable on account of judgments, arbitration's, compromises, insurance, benefits, compensation, and relief. Disability income benefits are not exempt if the judgment is for necessities contracted for after the disability is incurred.
3. Professionally prescribed health aids for you or any of your dependents.
4. The debtor's interest, not to exceed \$1,000 in value, in household furnishings, household goods, wearing apparel, appliances, books, animals kept as pets, and other items that are held primarily for personal, family, or household use of the debtor or any dependent of the debtor.
5. Cash or property of any kind equivalent in value to \$6,000 is exempt, if within 30 days from the date of the levy by the sheriff, the debtor elects to exempt cash or selected items of property in an amount not to exceed a cumulative value of \$6,000.
6. Money payable or paid in accordance with an agreement or court order for child support.
7. Money payable or paid in accordance with an agreement or court order for alimony to the same extent that wages are exempt from attachment under § 15-601.1(b)(1)(ii) or (2)(i) of the Commercial Law Article.
8. The debtor's beneficial interest in any trust property that is immune from the claims of the debtor's creditors under § 14-113 of the Estates and Trusts Article.
9. With respect to claims by a separate creditor of a husband or wife, trust property that is immune from the claims of the separate creditors of the husband or wife under § 14-113 of the Estates and Trusts Article.

Appraisal of your property has been made. You may move to release some or all of the property from levy. You may avail yourself of these exemptions only by filing a motion within 30 days setting forth the items you select for exemption. A copy of that motion must be mailed to the Plaintiff or his attorney and the original must be filed with the Court.

If any third person has any interest, lien, or claim in the goods or lands listed on this Schedule, it is recommended that you notify such person immediately. By this levy the goods or lands are subjected to a judicial lien and your right to sell or dispose of them is suspended. Since no complete statement of your rights and liabilities can be given here, you may wish to consult a lawyer.