**4-801. Writ of execution.**

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

STATE OF NEW MEXICO

IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY 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.]