

JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE

IN AND FOR _____ COUNTY

COURT NO. _____

COURT ADDRESS

CIVIL ACTION NO _____

PLAINTIFF and/or JUDGMENT CREDITOR

VS. DEFENDANT and/or JUDGMENT DEBTOR

Location of property to be levied upon:

Name

Name

Address

Address

Phone

Phone

System ID #

System ID #

Check this box if address has changed

Check this box if address has changed

LEVY OF PERSONAL PROPERTY

PLEASE levy on the judgment debtor’s personal property in the above named case.

I understand that the Constable selects the property to be levied upon to satisfy the debt. Any specific items that I wish to request the Constable to attempt to levy upon are prescribed on the attached document. Further, I understand it is my responsibility to notify the Court when judgment is satisfied and may be ordered to pay up to ½ of the judgment if I fail to do so. 10 Del.C. §9567.

I have attached a document identifying specific items believed to be owned by the judgment debtor that I wish the constable to attempt to levy upon.

Pursuant to the requirement, I have provided the Certificate of Lien for the judgment debtor’s motor vehicle(s) and request that the Constable attempt to levy upon said vehicle(s).

THE AMOUNT NOW DUE on the judgment is as follows:

- \$ _____ Original amount of judgment (excluding costs, attorneys’ fees and pre-judgment interest)
- \$ _____ Plus court costs due, including for this form.
- \$ _____ Plus other fees (attorney’s fees, etc.) if allowed by judgment
- \$ _____ Plus Pre-judgment interest
- \$ _____ Plus post-judgment per diem rent of \$ _____ X _____ days (summary possession only)
- \$ _____ Plus post-judgment interest at _____% per year.
- \$ _____ Less total credits (any amount paid towards judgment to date)
- \$ _____ **TOTAL DUE ON JUDGMENT**

DATE OF JUDGMENT: _____

The foregoing statements are true and correct to the best of my knowledge and belief.

DATE: _____

Signature of Plaintiff / Judgment Creditor or Attorney

IT IS SO ORDERED this _____ day of, _____, 20____

(SEAL)

Justice of the Peace

TO THE JUDGMENT DEBTOR / DEFENDANT: YOU ARE ORDERED not to intentionally destroy, damage, sell, conceal or interfere, directly or indirectly, with the levied property. An order to hold a Constable’s sale may be entered in the Court noted above. See back of form for Debtor’s Exemptions. A violation of this Order will subject you to Civil Contempt pursuant to 10 Del.C. §9506.

TO THE CONSTABLE: YOU ARE ORDERED to levy on the goods, chattels, rights, credits, money and effects of the above named Defendant and/or Judgment Debtor, to recover the amount due on the judgment

VIEW YOUR CASE ONLINE AT <https://courtconnect.courts.delaware.gov>

DEBTOR’S EXEMPTIONS:

Certain items of personal property of the Defendant/Debtor are exempt from sale including the Family Bible, school books and family library; family pictures; all the wearing apparel of Debtor and Debtor’s family; tools, implements and fixtures used in your trade or business up to \$75.00; sewing machines used by a seamstresses or private families. In addition, Debtor may have the right to a Head of Family exemption of \$500.00 worth of personal property beyond those items listed above. See §§ 4901-4913 of Title 10 of the *Delaware Code*.

Judgment Debtor is hereby advised that refusing to allow the constable to execute the Levy of Property may subject you to Civil Contempt pursuant to 10 Del. C. §9506.

RETURN DATE: _____

CONSTABLE’S NOTES: _____

SERVED ON: _____ **(Date & Time)**

CONSTABLE: _____

COME TO HAND: _____ **(Date & Time)**

ATTEMPTED DATES AND TIMES:

1. _____ 2. _____ 3. _____

4. _____ 5. _____ 6. _____

7. _____ 8. _____ 9. _____

COMMENTS:

CONSTABLE _____ **DATE & TIME RETURNED**