

1 **WRIT**

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5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

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8		
9	Plaintiff(s),	
10		
11	-vs-	CASE NO.
12		DEPT. NO.
13	Defendant(s).	
14		

15 **WRIT OF ATTACHMENT – CIVIL**

16

17 THE STATE OF NEVADA TO THE SHERIFF OF CLARK COUNTY, GREETINGS:

18

19 YOU ARE HEREBY COMMANDED to attach and safely keep the property of the

20 Defendant(s) in order to satisfy the Plaintiff's demand of \$\_\_\_\_\_, exclusive of interest

21 and costs.

22 The property to be attached, which is not exempt from execution and the value of

23 which does not exceed the Plaintiff's demand, is described as follows:\_\_\_\_\_

24 If the Defendant(s) shall give you security in lawful money of the United States or

25 by posting a bond or by the undertaking of at least two sufficient sureties in an amount

26 equal to the lesser of the Plaintiff's demand, exclusive of costs, or the value of the

1 property levied upon, then you shall accept such bond or undertaking in lieu of  
2 attaching the aforesaid property. You are required to serve and return this Writ with the  
3 results of your levy endorsed thereon, and within 20 days from the day you receive it,  
4 return it to the Clerk of the Court with a copy to the party at whose direction it was  
5 issued.

6  
7 STEVEN D. GRIERSON, CLERK OF THE COURT

8 By: \_\_\_\_\_  
9 Deputy Clerk Date  
10 Regional Justice Center  
11 200 Lewis Avenue  
12 Las Vegas, NV 89101

Submitted By:

13 \_\_\_\_\_  
14

15 I HEREBY CERTIFY that this is a true and correct copy of the original Writ of  
16 Attachment.  
17

18 DOUG GILLESPIE, SHERIFF, CLARK COUNTY

19 By: \_\_\_\_\_  
20 Deputy Date

21 I HEREBY CERTIFY that I have this date served this Writ of Attachment on the  
22 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:  
23

24 ☐ (a) taking into my possession the following described property to be held in  
25 my custody until further order of this court:  
26

27 \_\_\_\_\_  
28

☐ (b) posting a copy of this Writ of Attachment upon the real property set forth herein by affixing a copy of this Writ to the improvement thereon or upon the property if unimproved and by delivering a copy of this Writ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to the County Recorder to be recorded.

☐ (c) serving on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_.M. o'clock a Writ of Garnishment in aid of this Writ of Attachment on \_\_\_\_\_ at \_\_\_\_\_, Clark County, Nevada. A true and correct copy of said Writ of Garnishment is attached hereto.

☐ (d) returning this Writ of Attachment unsatisfied.

DOUG GILLESPIE, SHERIFF, CLARK COUNTY

By: \_\_\_\_\_  
Deputy Date

DISTRICT COURT  
CLARK COUNTY, NEVADA

**NOTICE OF EXECUTION**

YOUR PROPERTY IS BEING ATTACHED OR  
YOUR WAGES ARE BEING GARNISHED

Plaintiff, \_\_\_\_\_, alleges that you owe him money. He has begun the procedure to collect that money. To secure satisfaction of judgment the court has ordered the garnishment of your wages, bank account or other personal property held by third persons or the taking of money or other property in your possession.

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 including, without limitations retirement and survivor benefits, supplemental security income benefits and disability insurance benefits.

2. Payments for benefits or the return of contributions under the Public Employees' Retirement System.

3. Payments for public assistance granted through the Welfare Division of the Department of Human Resources or a local governmental entity.

4. Proceeds from a policy of life insurance if the annual premium does not exceed \$15,000.

5. Payments of benefits under a program of industrial insurance.

6. Payments received as disability, illness or unemployment benefits.

7. Payments received as unemployment compensation.

8. Veteran's benefits.

9. A homestead in a dwelling or a mobile home, not to exceed \$350,000, unless:

(a) The judgment is for a medical bill, in which case all of the primary dwelling, including a mobile or manufactured home, may be exempt.

(b) Allodial title has been established and not relinquished for the dwelling or mobile home, in which case all of the dwelling or mobile home and its appurtenances are exempt, including the land on which they are located, unless a valid waiver executed pursuant to [NRS 115.010](#) is applicable to the judgment.

10. A vehicle, if your equity in the vehicle is less than \$15,000.

11. Seventy-five percent of the take-home pay for any workweek, unless the weekly take-home pay is less than 50 times the federal minimum wage, in which case the entire amount may be exempt.

12. Money, not to exceed \$500,000 in present value, held in:

(a) An individual retirement arrangement which conforms with the applicable limitations and requirements of section 408 or 408A of the Internal Revenue Code, 26 U.S.C. §§ 408 and 408A;

(b) A written simplified employee pension plan which conforms with the applicable limitations and requirements of section 408 of the Internal Revenue Code, 26 U.S.C. §§ 408;

(c) A cash or deferred arrangement that is a qualified plan pursuant to the Internal Revenue Code;

(d) A trust forming part of a stock bonus, pension or profit-sharing plan that is a qualified plan pursuant to sections 401 et seq. of the Internal Revenue Code, 26 U.S.C. §§ 401 et seq.; and

(e) A trust forming part of a qualified tuition program pursuant to [chapter 353B](#) of NRS, any applicable regulations adopted pursuant to [chapter 353B](#) of NRS and section 529 of the Internal Revenue Code, 26 U.S.C. § 529, unless the money is deposited after the entry of a judgment against the purchaser or account owner or the money will not be used by any beneficiary to attend a college or university.

13. All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the State.

14. All money and other benefits paid pursuant to the order of a 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.

15. 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.

16. A prosthesis or any equipment prescribed by a physician or dentist for you or your dependent.

17. Payments, in an amount not to exceed \$16,150, received as compensation for personal injury, not including compensation for pain and suffering or actual pecuniary loss, by the judgment debtor or by a person upon whom the judgment debtor is dependent at the time the payment is received.

18. Payments received as compensation for the wrongful death of a person upon whom the judgment debtor was dependent at the time of the wrongful death, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

19. Payments received as compensation for the loss of future earnings of the judgment debtor or of a person upon whom the judgment debtor is dependent at the time the payment is received, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

20. Payments received as restitution for a criminal act.

→ These exemptions may not apply in certain cases such as proceedings to enforce a judgment for support of a child 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. If you cannot afford an attorney, you may be eligible for assistance through Nevada Legal Services.

### PROCEDURE FOR CLAIMING EXEMPT PROPERTY

If you believe that the money or property taken from you is exempt or necessary for the support of you or your family, you must file with the clerk of the court on a form provided by the clerk 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 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 hearing must be held within 10 days after the motion for a 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.

If you received this notice with a notice of a hearing for attachment and you believe that the money or property which would be taken from you by a writ of attachment is exempt or necessary for the support of you or your family, you are entitled to describe to the court at the hearing why you believe your property is exempt. You may also file a motion with the court for a discharge of the writ of attachment. You may make that motion any time before trial. A hearing will be held on that motion.

IF YOU DO NOT FILE THE MOTION BEFORE THE TRIAL, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE PLAINTIFF, EVEN IF THE PROPERTY OR MONEY IS EXEMPT OR NECESSARY FOR THE SUPPORT OF YOU OR YOUR FAMILY.

(Added to NRS by 1989, 1139; A 1991, 814, 1415; 1993, 2631; 1995, 230; 1997, 269, 3416; [2003, 1014, 1816](#))