

1 **WRIT**

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6 DISTRICT COURT
7 CLARK COUNTY, NEVADA

8
9 Plaintiff(s),
10
11 -vs-
12
13 Defendant(s).

CASE NO.
DEPT. NO.

14
15 **WRIT OF EXECUTION**

- 16 Earnings Other Property
17 Earnings, Order of Support

18
19 THE STATE OF NEVADA TO THE SHERIFF OF CLARK COUNTY, GREETINGS:

20 On _____, 20____ a judgment, upon which there is due in United States
21 Currency the following amounts, was entered in this action in favor of _____ as
22 judgment creditor and against _____ as judgment debtor. Interest and costs have
23 accrued in the amounts shown. Any satisfaction has been credited first against total
24 accrued interest and costs, leaving the following net balance, which sum bears interest
25 at _____% per annum, \$_____ per day from issuance of this writ to date of levy and to
26 which sum must be added all commissions and costs of executing this Writ.
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<u>JUDGMENT BALANCE</u>		<u>AMOUNTS TO BE COLLECTED BY LEVY</u>	
Principal	_____	NET BALANCE	_____
Pre-judgment Interest	_____	Fee this Writ	_____
Attorney's Fee	_____	Garnishment Fee	_____
Costs	_____	Mileage	_____
JUDGMENT TOTAL	_____	Levy Fee	_____
Accrued Costs	_____	Advertising	_____
Accrued Interest	_____	Storage	_____
Less Satisfaction	_____	Interest from	_____
		Date of Issuance	_____
NET BALANCE	_____	SUB-TOTAL	_____
		Commission	_____
		TOTAL LEVY	_____

NOW, THEREFORE, you are commanded to satisfy the judgment for the total amount due out of the following described personal property and if sufficient personal property cannot be found, then out of the following described real property:_____

(See below for exemptions which may apply)

**EXEMPTIONS WHICH APPLY TO THIS LEVY
(Check appropriate paragraph and complete as necessary)**

- Property other than wages. The exemption set forth in NRS 21.090 or in other applicable Federal Statutes may apply, consult an attorney.
- Earnings. The amount subject to garnishment and this writ shall not exceed for any one pay period the lesser of:
 - A. 25% of the disposable earnings due the judgment debtor for the pay period, or

1 B. The difference between the disposable earnings for the period and
2 \$100.50 per week for each week of the pay period.
3

4 Earnings (Judgment or Order of Support)

5 A Judgment was entered for amounts due under a decree or order entered
6 on _____, 20_____, by the _____ for support of _____, for the period from
7 _____, 20_____, through _____, 20_____, in _____ installments of \$_____.

8 The amount of disposable earnings subject to garnishment and this writ
9 shall not exceed for any one pay period:

10 A maximum of 50 percent of the disposable earnings of such judgment
11 debtor who is supporting a spouse or dependent child other than the
12 dependent named above;

13 A maximum of 60 percent of the disposable earnings of such judgment
14 debtor who is not supporting a spouse or dependent child other than the
15 dependent named above;

16 Plus an additional 5 percent of the disposable earnings of such judgment
17 debtor if and to extent that the judgment is for support due for a period of
18 time more than 12 weeks prior to the beginning of the work period of the
19 judgment debtor during which the levy is made upon the disposable
20 earnings.

21 NOTE: Disposable earnings are defined as gross earnings less deductions
22 for Federal Income Tax Withholding, Federal Social Security Tax and
23 Withholding for any State, County or City Taxes.
24

1 You are required to return this Writ from date of issuance not less than 10 days
2 or more than 60 days with the results of your levy endorsed thereon.

3 STEVEN D. GRIERSON
4 CLERK OF COURT

5 By:

6 _____
7 Deputy Clerk Date

8 Submitted By:

9 _____

10 RETURN

11 Not satisfied \$ _____

12 Satisfied in sum of \$ _____

13 Costs retained \$ _____

14 Commission retained \$ _____

15 Costs incurred \$ _____

16 Commission incurred \$ _____

17 Costs Received \$ _____

18 REMITTED TO \$ _____
19 JUDGMENT CREDITOR

20 DOUG GILLESPIE, SHERIFF
21 CLARK COUNTY

22 By: _____
23 Deputy Date

DISTRICT COURT

CLARK COUNTY, NEVADA

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 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 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. 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, 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 the 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.

(Added to NRS by 1989, 1135; A 1991, 811, 1412; 1995, 227, 1071; 1997, 265, 3412; [2003, 1010, 1812](#))