



# Personal Property Levy

## Instructions to the Sheriff of San Joaquin County

NORMAL HOURS FOR SERVICE ARE MONDAY – FRIDAY, 8:00 A.M. TO 5:00 P.M.

Patrick Withrow, Sheriff-Coroner

7000 Michael Canlis Blvd., French Camp, CA 95231

The Sheriff must have written, signed instructions by the Plaintiff representing him/herself or the Attorney of Record in accordance with California Civil Procedure Code 262.

Court Case # \_\_\_\_\_

Sheriff's File # \_\_\_\_\_

VS

Plaintiff/Petitioner

Defendant/Respondent

### TO THE SHERIFF OF SAN JOAQUIN COUNTY, BY THE AUTHORITY OF THE ACCOMPANYING WRIT:

You are instructed to execute the levy as described below.

**OR**

A Registered Process Server (RPS) will serve the levy as described below. NOTE: RPS may not serve every type of levy.

Name and phone number of RPS: \_\_\_\_\_

### WHAT TYPE OF WRIT DO YOU HAVE? CHECK ONE

**Writ of Execution (Money Judgment) (EJ-130) \$40.00 Service Fee** / Methods of Levy CCP 700.010-700.200

**Writ of Possession of Personal Property (EJ-130) Request Quote** / Method of Levy CCP 714.010-714.020

**Writ of Possession (Claim and Delivery) (CD-130) Request Quote** / Method of Levy CCP 512.080, 514.010-514.050

**Writ of Attachment (AT-135) Request Quote** / Method of Levy CCP 488.300-488.485. Also include:

**Right to Attach Order** and  **Undertaking**, if one was ordered.

### WHAT TYPE OF LEVY DO YOU WANT PERFORMED? CHECK ONE

**Bank or Deposit Account Levy/ Third Party levy - \$40.00 Service Fee**

Name of Financial Institution / Third Party: \_\_\_\_\_

Address of Financial Institution / Third Party: \_\_\_\_\_

Account No(s). If known / Property Description: \_\_\_\_\_

**Writ of Possession**

Turnover Contact person: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**Vehicle Levy**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_

VIN No. \_\_\_\_\_ License No. \_\_\_\_\_ Year: \_\_\_\_\_

**Seizure and Sale of Personal Property**

### PROPERTY YOU WANT US TO LEVY?

Name(s) of the Judgment Debtor(s) whose property is subject to this levy. The names listed below must match the names exactly as they appear on lines 4 and 21 of the writ, or the Sheriff will not act upon your instructions.

1. \_\_\_\_\_ SSN: \_\_\_\_\_

Address for Mail Service: \_\_\_\_\_

2. \_\_\_\_\_ SSN: \_\_\_\_\_

Address for Mail Service: \_\_\_\_\_

Check if additional judgment debtors. List them on a separate sheet and attach to these instruction

**IDENTIFY THE PROPERTY:** *(Not applicable for BANK and VEHICLE Levy- See above)*

You are required to identify and describe the property to be levied upon. Additionally, unless you have a writ of execution - money judgment, the Sheriff will not levy on property that is not specifically ordered or described in the writ. The property must be described in such a way that no other property could reasonably be mistaken for the wanted property. Include physical description, quantity, VIN, weight, size, photos, serial numbers, etc.

See attachment for a detailed property description

**ADDITIONAL PROPERTY INFORMATION:** *All questions MUST be answered (Not applicable for Bank Levy)*

Address where the property will be found: \_\_\_\_\_

Is the Property in the Possession of the Debtor?  Yes  No:

Do you have a Private Place Order?  Yes  No.

If the property is held in a Private Place, the Sheriff will not enter to take the property unless you have a Private Place Order. If you do not have a Private Place Order, the Sheriff will only make a demand for the property and will not enter the property.

Is the Property in the Possession of a Third Party?  Yes  No:

The Sheriff does not seize property from a Third Party. The Sheriff will only make a demand. If the property is held in a Private Place, the Sheriff will not enter to demand the property. The garnishment procedure is limited in the type of property subject to levy. You should be familiar with those limitations and with the Third Party Claim process (CCP 720.110-720.880) before requesting this type of levy.

Please serve the following Third Party: \_\_\_\_\_

Service Address: \_\_\_\_\_

**Identify the specific Method of Levy (code section) that pertains to the specific property you are seeking to levy:** \_\_\_\_\_

**Enclosures:** Check all that apply

Affidavit of identity  Spousal affidavit  Unexpired certified copy of a fictitious business name statement  Other: \_\_\_\_\_

*NOTICE: ALL COMMUNICATION, REFUNDS AND COLLECTIONS WILL BE MADE TO THE NAME AND ADDRESS LISTED BELOW.*

**(NO REFUNDS AFTER PROCESSING)**

**DATE:** \_\_\_\_\_

**NAME OF PERSON REQUESTING SERVICE**

**PHONE NUMBER**

**MAILING ADDRESS**

**CITY**

**STATE**

**ZIP CODE**

**ADDRESS/PHONE IS NOT ON ORDER and IS CONFIDENTIAL**

***Signature* of Person Requesting Service**

Plaintiff representing him/herself or the Attorney of Record (CCP 262)

**NOTE: THE SHERIFF IS ENTITLED TO HIS FEE FOR SERVICE, WHETHER OR NOT THE SERVICE IS SUCCESSFUL. (GOVT CODE 26738)**

*FOR OFFICE USE ONLY*

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Initials: \_\_\_\_\_  counter  mail  cash  check # \_\_\_\_\_  credit/debit  waiver