

**IN THE JUSTICE OF THE PEACE COURT OF  
THE STATE OF DELAWARE, IN AND FOR \_\_\_\_\_ COUNTY  
COURT NO \_\_\_\_\_**

**COURT ADDRESS**

**CIVIL ACTION NO** \_\_\_\_\_

**PLAINTIFF**

**VS.**

**DEFENDANT**

Name \_\_\_\_\_  
Address \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

PLAINTIFF ID# \_\_\_\_\_

DEFENDANT ID# \_\_\_\_\_

**LEVY OF PROPERTY (ATTACHMENT FIERI FACIAS)**

**PLEASE levy on the judgment debtor's property in the above named case.**

**NOTE:** The specific property to be levied upon will be selected by the constable. However, the constable cannot levy upon a motor vehicle (including a mobile home) unless you provide the Certificate of Lien. **A CONSTABLE'S SALE WILL BE HELD FOLLOWING THE LEVY ONLY UPON YOUR REQUEST.**

I have provided the Certificate of Lien for the judgment debtor's motor vehicle which is \_\_\_\_\_ make and \_\_\_\_\_ model with registration # \_\_\_\_\_.

**THE AMOUNT NOW DUE** on the judgment is as follows:

\$ \_\_\_\_\_ Original amount of judgment (excluding costs, attorneys' fees and pre-judgment interest)  
\$ \_\_\_\_\_ Pre-judgment interest  
\$ \_\_\_\_\_ Less total credits  
\$ \_\_\_\_\_ Net  
\$ \_\_\_\_\_ Plus post-judgment per diem rent of \$ \_\_\_\_\_ X \_\_\_\_\_ days (summary possession cases only)  
\$ \_\_\_\_\_ Plus post-judgment interest at \_\_\_\_\_ % per year  
\$ \_\_\_\_\_ Plus court costs due, including costs for this form.  
\$ \_\_\_\_\_ Plus attorneys' fees, if allowed by judgment.  
\$ \_\_\_\_\_ **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 or Attorney

**TO THE CONSTABLE:** **YOU ARE ORDERED** to levy on the goods, chattels, rights, credits, money and effects of \_\_\_\_\_, the Defendant, to recover the amount due on the judgment.

**TO THE DEFENDANT:** **YOU ARE ORDERED** not to intentionally destroy, damage, sell or conceal the levied property. An order to hold a Constable's Sale may be entered in the Court noted above. See back of form for Defendant's Exemptions.

**TO PLAINTIFF/JUDGMENT CREDITOR:** Any special instructions should be attached. **YOU ARE RESPONSIBLE FOR NOTIFYING THE COURT WHEN JUDGMENT HAS BEEN SATISFIED (PAID IN FULL).** If you fail to do so, you must pay the judgment debtor a sum up to 1/2 of the judgment. 10 *Del.C.* § 9567.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Justice of the Peace

**DEFENDANT EXEMPTIONS:**

Certain items of personal property of the Defendant are exempt from sale including the Family Bible, school books and family library; family pictures; all the wearing apparel of Defendant and Defendant's family; tools, implements and fixtures used in your trade or business up to \$75.00; sewing machines used by seamstresses or private families. In addition, Defendant 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*.

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**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