

Justice Court, Boulder Township

CLARK COUNTY, NEVADA

CASE NO. _____

NOTICE OF EXECUTION AFTER JUDGMENT

I. YOUR PROPERTY IS BEING ATTACHED OR YOUR WAGES ARE BEING GARNISHED

The Court has determined that you owe money to _____ the judgment creditor. He has begun the procedure to collect that money by garnishing your wages, attachment of your bank account or 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.
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.
4. Proceeds from a policy of life insurance.
5. Payments of benefits under a program of industrial insurance.
6. Payments received as unemployment compensation.
7. Veteran's benefits.
8. A homestead in a dwelling or a mobile home, not to exceed \$95,000.00, unless the judgment is a for a medical bill, in which case all of the primary dwelling, including a mobile or manufactured home, may be exempt.
9. A vehicle, if your equity in the vehicle is less than \$1,500.00.
10. Seventy-five percent of the take home pay for any pay period, unless the weekly take home pay is less than 30 times the federal minimum wage, in which case the entire amount may be exempt.
11. Money, not to exceed \$100,000.00 in present value, held for retirement pursuant to certain arrangements or plans meeting the requirements for qualified arrangements or plans of Section 401 et seq. of the Internal Revenue Code (26 U.S.C. 401 et seq.).
12. 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.
13. A prosthesis or any equipment prescribed by a physician or dentist for you or your dependent.

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.

II. 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 or constable 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 hearing is filed.

NOTE: IF YOU DO NOT FILE THE AFFIDAVIT WITHIN THE TIME SPECIFIED YOUR PROPERTY MAY BE SOLD AND THE MONEY BE GIVEN TO THE JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT.