

STATE OF TENNESSEE, COUNTY OF WILSON

SUMMONS TO RECOVER PERSONAL PROPERTY

To Any Lawful Officer to Execute and Return:

Summon each Defendant to appear before the Judge of the General Sessions Court of Wilson County, on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM. in the General Sessions Court Room, 115 East High Street, Lebanon, Tennessee 37087 to answer the claim by Plaintiff(s) for a money judgment of \$ \_\_\_\_\_ and possession of the following described property: \_\_\_\_\_

having a value of \$ \_\_\_\_\_. Plaintiff's claim possession because \_\_\_\_\_

A copy of the writing, if any, upon which Plaintiff(s) claim is founded must be attached. Plaintiff(s) makes oath that the foregoing is true to the best of Plaintiff's knowledge, information and belief. Sworn to and subscribed on \_\_\_\_\_, 20\_\_\_\_\_.

Clerk/Deputy Clerk/Notary Public \_\_\_\_\_ My Commission Exp. \_\_\_\_\_ Issued: \_\_\_\_\_ DEBBIE MOSS, CLERK \_\_\_\_\_ Deputy Clerk

FIAT: Upon posting bond of \$ \_\_\_\_\_, Defendant(s) are hereby restrained from damaging, concealing, or removing the described property from the jurisdiction of the Court. IF THIS RESTRAINING ORDER IS VIOLATED, DEFENDANT(S) COMMITS A CLASS C MISDEMEANOR AND IS SUBJECT FOR EACH VIOLATION TO A FINE NOT TO EXCEED FIFTY DOLLARS (\$50) AND/OR IMPRISONMENT UP TO THIRTY DAYS.

Date: \_\_\_\_\_ Judge: \_\_\_\_\_

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

Attorney for Plaintiff or Plaintiff \_\_\_\_\_ Notary Public \_\_\_\_\_ My Commission Exp. \_\_\_\_\_

PLAINTIFF'S BOND FOR RESTRAINING ORDER: We hereby bind ourselves, our heirs, and assigns to Defendant(s) in the penalty sum of \$ \_\_\_\_\_, being the value of the described property, this obligation to be void should Plaintiff(s) abide by and perform the judgment of the Court in this matter. Date: \_\_\_\_\_ Principal: \_\_\_\_\_ Surety: \_\_\_\_\_

Case No. \_\_\_\_\_ Plaintiff \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_ vs Defendant \_\_\_\_\_ Address \_\_\_\_\_ Defendant \_\_\_\_\_ Address \_\_\_\_\_

SUMMONS TO RECOVER PERSONAL PROPERTY Wilson County Court of General Sessions DEBBIE MOSS, Clerk

by \_\_\_\_\_, Deputy Clerk Issued \_\_\_\_\_, 20\_\_\_\_\_ Set for \_\_\_\_\_ At \_\_\_\_\_ AM/PM Reset for \_\_\_\_\_

Served Upon:  All Named Defendants  All Defendants Except: \_\_\_\_\_

SERVICE

Served \_\_\_\_\_, 20\_\_\_\_\_

Sheriff/Constable (Process Server) \_\_\_\_\_ Attorney for Plaintiff Telephone \_\_\_\_\_ Attorney for Defendant Telephone \_\_\_\_\_

WAIVER AND SURRENDER OF PROPERTY: The officer serving this paper has explained that I have a constitutional right to a hearing on the possession of this property, but I wish to give up that right. I acknowledge that Plaintiff is entitled to possession, and I surrender the property to the officer. I realize that if I do not come to Court, a default judgment will be entered against me. I know that I do not have to sign this Waiver or surrender possession, but do so voluntarily.

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

JUDGMENT

Judgment for \_\_\_\_\_ against \_\_\_\_\_  
for \$ \_\_\_\_\_ plus interest at the rate of \_\_\_\_\_% and  
possession of described property and cost of suit, for which execution may issue.  
Judgment entered by:  Default  Agreement  Trial  
Dismissed:  Without Prejudice  With Prejudice  
Costs taxed to:  Plaintiff  Defendant

Defendant(s) \_\_\_\_\_ in court  
and admitted to jurisdiction of court. This the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
\_\_\_\_\_, Judge, Division \_\_\_\_\_

ORDER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
\_\_\_\_\_, Judge

NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.