

**PETITION AND ORDER FOR SALE OF PROPERTY**

Commonwealth of Virginia

Va. Code §§ 43-34; 46.2-644.03

..... General District Court  
CITY OR COUNTY

STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER: You are hereby commanded to summon the defendant(s).

TO THE DEFENDANT(S): You are summoned to appear before this court at the above address on

..... to answer the Plaintiff(s)'s civil claim (see below)

RETURN DATE AND TIME

DATE

[ ] CLERK [ ] DEPUTY CLERK [ ] MAGISTRATE

**TO THE COURT:**

I hereby petition this court to order the sale of the following described property,

DESCRIPTION

valued at \$ .....

located in .....

CITY/COUNTY

- [ ] having value greater than \$10,000 but not greater than \$25,000, pursuant to § 43-34.
- [ ] having value greater than \$12,500 but not greater than \$25,000, pursuant to § 46.2-644.03.
- [ ] the property described above is a motor vehicle owned by a military servicemember having value less than \$12,500.

I/we hereby certify that I/we have a lien against this property pursuant to Virginia Code §§ 43-31 through 43-33, 46.2-644.01 or 46.2-644.02 that has not been paid within ten days of the date due.

I/we hereby certify that notice has been served on the owner of the property pursuant to Virginia Code §§ 43-34 or 46.2-644.03, whichever is applicable.

DATE

SIGNATURE OF PLAINTIFF(S)

**CASE DISPOSITION**

- [ ] The Court finds for the Defendant.
- [ ] The debt and lien having been established by the Plaintiffs and having found that the property should be sold to pay the debt, this court hereby orders the sheriff of

COUNTY/CITY

to sell and dispose of the above-described property and dispose of the proceeds in the same manner as if the sale was made under a writ of fieri facias.

- [ ] The Court orders a stay [ ] sua sponte [ ] on application of a servicemember whose ability to comply with the obligation resulting in this proceeding is materially affected by military service until

NEXT HEARING DATE

DATE

JUDGE

CASE NO.

PLAINTIFF(S)

ADDRESS/LOCATION

v.

DEFENDANT(S)

ADDRESS/LOCATION

**PETITION AND ORDER FOR SALE OF PROPERTY**

TO DEFENDANT: You are not required to appear; however, if you fail to appear, judgment may be entered against you. See the additional notice on the reverse about requesting a change of trial location.

- [ ] To dispute this claim, you must appear on the return date to try this case.
- [ ] To dispute this claim, you must appear on the return date for the judge to set another date for trial.

Bill of Particulars ..... ORDERED ..... DUE

Grounds of Defense ..... ORDERED ..... DUE

ATTORNEY(S) FOR PLAINTIFF(S)

ATTORNEY(S) FOR DEFENDANT(S)

HEARING DATE AND TIME

DISABILITY ACCOMMODATIONS for loss of hearing, vision, mobility, etc., contact the court ahead of time.

**RETURNS: Each defendant was served according to law, as indicated below, unless not found.**

NAME .....

.....

ADDRESS .....

.....

<input type="checkbox"/> PERSONAL SERVICE	Tel. No. ....
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Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

.....

.....

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Served on Secretary of the Commonwealth

<input type="checkbox"/> NOT FOUND	.....
------------------------------------	-------

SERVING OFFICER

..... for .....

DATE

NAME .....

.....

ADDRESS .....

.....

<input type="checkbox"/> PERSONAL SERVICE	Tel. No. ....
---	---------------

Being unable to make personal service, a copy was delivered in the following manner:

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<input type="checkbox"/> NOT FOUND	.....
------------------------------------	-------

SERVING OFFICER

..... for .....

DATE

NAME .....

.....

ADDRESS .....

.....

<input type="checkbox"/> PERSONAL SERVICE	Tel. No. ....
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<input type="checkbox"/> NOT FOUND	.....
------------------------------------	-------

SERVING OFFICER

..... for .....

DATE

**OBJECTION TO VENUE:**

To the Defendant(s): If you believe that Plaintiff(s) should have filed this suit in a different city or county, you may file a written request to have the case moved for trial to the general district court of that city or county. To do so, you must do the following:

1. Prepare a written request which contains (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the right corner, (c) Plaintiff(s)' name(s) and Defendant(s)' name(s), (d) the phrase "I move to object to venue of this case in this court because" and state the reasons for your objection and also state in which city or county the case should be tried, and (e) your signature and mailing address.
2. File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to plaintiff.
3. If you mail this request to the court, you will be notified of the judge's decision.

I certify that I mailed a copy of this document to the defendants named therein at the address shown therein on

.....

DATE

Plaintiff  
 Plaintiff's Atty.  
 Plaintiff's Agent