

USING THIS FORM

1. Copies
 - a. Original – to sheriff for proof of service of process, then to court.
 - b. First copy - to principal defendant. If more than one defendant, prepare additional copies for each principal defendant and co-defendant.
 - c. Second copy - to plaintiff.
2. Front of form prepared by magistrate or judge; back completed by executing officer.
3. Attachments
 - a. DC-407, Request for Hearing - Exemption Claim.
 - b. DC-445, Attachment petition.
 - c. DC-447, Plaintiff's Bond for Levy or Seizure.
4. Preparation Details
 - a. The items described in the Attachment petition have been selected by the plaintiff for seizure. If not so selected, then the serving officer selects the items to be attached.
 - b. No attachment summons may be issued until a proper bond is posted.
 - c. Data Element No. 14 - Clerk of Court, where original attachment is pending, upon written application of the plaintiff or plaintiff's attorney, may issue other attachments founded on the original petition. Clerk should review Va. Code § 8.01-543 for exceptions.

ATTACHMENT SUMMONS

Case No. 1

2 Circuit Court

3 STREET ADDRESS OF COURT

PLAINTIFF(S): PRINCIPAL DEFENDANT(S):
V.

4 5

6 Hearing Date and Time CO-DEFENDANT(S): 7

Method of Attachment

- 8 [] Levy only
[] Seizure (levy and take into possession)

- 9 [] Original Attachment

- [] Other Attachment

- 10 [] Bond given \$

A copy of the petition and the bond accompany this Summons.

TO THE SHERIFF:

You are commanded to attach, by the method of attachment described above:

11 [] the specific property claimed in the petition, and so much more of the non-exempt real and personal property of the Principal Defendant(s) as shall be necessary to cover the damages for the detention of the specific property sued for and the costs of the attachment, the total amount claimed being the same as shown in the petition; OR

12 [] so much of the real and personal property of the Principal Defendant(s) not exempt from execution as will be sufficient to satisfy the plaintiff's demand and, if taken into possession, to be kept safely in his possession to satisfy any judgment that may be recovered by Plaintiff(s) in such attachment, the total amount claimed being as shown in the petition, and to make your return on the reverse side of this summons. You are further commanded to summon the Principal Defendant(s) to appear and answer the attached petition for attachment and to serve a copy of this summons on the Co-defendant(s), if any.

TO THE PRINCIPAL DEFENDANT(S):

You are commanded to appear before this Court at the HEARING DATE AND TIME shown above to answer the claims of the Plaintiff(s) as described in the attached petition.

TO THE PRINCIPAL DEFENDANT(S) AND (IF ANY) CO-DEFENDANTS:

If you possessed the property described in the petition and it was not seized by the Sheriff or a deputy sheriff, you must not remove, hide, alter, destroy, convert, sell, give away, pledge, pawn, assign or otherwise dispose of such property until otherwise ordered by this court. Failure to comply with this requirement could result in a fine and a jail sentence for contempt of court. You have the following rights:

- To have a hearing within 10 business days from your request for a hearing. At each hearing, you may contest the claim of the Plaintiff(s). You may also establish at the hearing the existence of any exemptions which would permit you or someone else to keep some or all of the property free from this attachment.
To post a bond with the sheriff to regain the property taken or to release the property from the attachment's lien.

It may be helpful to you to seek the advice of an attorney in this matter.

13 DATE ISSUED

14 [] MAGISTRATE [] JUDGE [] CLERK (Subsequent attachment Summon only)

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DATA ELEMENTS

1. Court case number.
2. Court name.
3. Street address of court.
4. Name and address of plaintiff(s).
5. Name and address of principal defendant(s).
6. Date and time of hearing.
7. Name and address of co-defendant(s).
8. Check appropriate box to show method of attachment requested by plaintiff.
9. Check "original attachment" if no other attachments have previously been issued on the petition; otherwise, check "other attachment."
10. Check after proper bond is accepted. See Using This Form, 4(b). Also show amount of bond.
11. Check if plaintiff requests that specific property described in Attachment Petition, DC-445, is to be attached.
12. Check if plaintiff did not request attachment of any specific property in Attachment Petition.
13. Date of issuance of Attachment Summons.
14. Signature of person issuing Attachment Summons. Check the appropriate title box (judge or magistrate) below the signature line. Check clerk box only if clerk prepared Attachment Summons pursuant to Va. Code § 8.01-543. See Using This Form, 4(c).

INVENTORY OF ITEMS ATTACHED	
I, the undersigned officer, this day did levy on or seize the following items and no others. [Where my initials appear in the "SEIZED" column, the corresponding item was taken into my possession. If blank, the corresponding item was levied on.]	
SEIZED – (Initial)	ITEM
	1.
	2.
1	3.
	4.
	5. 2
	6.
	7.
	8.
	9.
	10.
	11.
	12.
..... 3 DATE	_____ 4 _____, SHERIFF by DEPUTY SHERIFF

SHERIFF'S RETURN

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DATA ELEMENTS

1. Officer's initials if item listed was taken into possession by officer.
2. Description of item seized or levied on.
3. Date of inventory.
4. Signature of officer completing inventory.