

Using This Revisable Form

1. Copies – (Contact the court to determine if you should bring copies to the Clerk's Office or if copies will be made upon filing.)
 - a. Original – to court.
 - b. First copy – to principal on bond.
 - c. Second copy – to surety. If more than one surety, prepare copies for each surety.
 - d. Additional copies – to person served (attached to summons).
2. Prepared by plaintiff or surety, acknowledged by clerk, magistrate, or judge.
3. Attachments
 - a. Form DC-416, DETINUE SEIZURE ORDER.
 - b. Form DC-424, DISTRESS WARRANT.
 - c. Form DC-446, ATTACHMENT SUMMONS.
 - d. Form DC-332, AFFIDAVIT OF SURETY (if real estate is offered as security).
4. Preparation details
 - a. The local Clerk's Office should be consulted to determine if the local judges allow the acceptance of realty as security on a civil bond and, if so, under what conditions.
 - b. This bond must always be executed before a DETINUE SEIZURE ORDER, form DC-416, or a DISTRESS WARRANT, form DC-424, or an ATTACHMENT SUMMONS, form DC-446, can be issued.
 - c. Data Element No. 6 is the number of the court receipt issued by the clerk.

PLAINTIFF'S BOND FOR LEVY OR SEIZURE

Commonwealth of Virginia VA. CODE § 8.01-537.1

Case No. **1**

2

COURT NAME

3

PLAINTIFF(S)

v.

4

PRINCIPAL DEFENDANT(S)

OTHER PRINCIPAL:

Giving bond as possessor of attached property:

9

NAME

ADDRESS

ADDRESS of Property Posted as Security:

10

SURETY: (Names and Addresses)

11

| | |
|----------------------------|--|
| BOND AMOUNT \$ 5 | RECEIPT NO. (IF CASH BOND) 6 |
| DATE RECEIVED 7 | DATE DISBURSED 8 |

The undersigned each hereby acknowledge himself, his heirs, and his assigns indebted jointly and severally to any person who sustains damages because of the suing out of the attachment in this case in the sum of **13**

\$ **12** that is secured by Cash [OR] Surety [OR] Property

(and if secured by property, the undersigned, having demonstrated the nature of their interest in the property also make oath that the equity of the undersigned in the property equals or exceeds the amount of this bond). The undersigned each waives all benefit of the homestead exemptions as to the debt of this bond.

The conditions of this obligation are that:

1. If any property is seized to process for seizure issued on the petition of Plaintiff(s), and the right of possession is adjudged against Plaintiff(s), then such property shall be redelivered by Plaintiff(s) to Defendant(s) or to the person from whose possession it was taken; and
2. Plaintiff(s) shall pay all costs and damages awarded against Plaintiff(s) in this case or sustained by any person as a result of an unlawful levy or seizure.

If Plaintiff(s) faithfully fulfill these conditions, this debt will become void; otherwise this debt shall remain in full force and effect until satisfied, declared void or released by a court of competent jurisdiction, or released by Defendant(s).

14

(SEAL)

SURETY

15

(SEAL)

PLAINTIFF OTHER PRINCIPAL

SURETY

Subscribed and sworn to before me this day.

16

DATE

17

CLERK MAGISTRATE JUDGE

NOTARY PUBLIC: My Commission expires:.....

Data Elements

To be completed by the Clerk:

1. Court case number.
2. Court name.
3. Name(s) of plaintiff(s).
4. Name(s) of defendant(s).

To be completed by the Clerk:

5. Bond amount.
6. Court receipt number.
7. Date of receipt of completed bond by clerk.
8. Date that bond is released and collateral (including cash) is returned to its owner, or the date that the bond is forfeited to be applied to the judgment in this case.

9. Name of other principal if plaintiff is not principal on this bond.
10. If realty used as security, give address of real property.
11. Information concerning the surety (name, street address) and, if corporate surety used, the name and street address of the authorized agent.
12. Amount of bond.
13. Type of security posted to secure bond.
14. Signature of surety(ies). If corporate surety, have authorized agent sign the name of the corporation and also sign as authorized agent.
15. Signature of plaintiff or other principal.

To be completed by person acknowledging signature:

16. Date of acknowledgment.
17. Signature of person taking acknowledgment. Check appropriate title box below signature line. If a notary public, also include expiration date of commission.