

## **How to Obtain a Writ of Execution**

After reading the following guidelines, please review the sample Affidavit and Writ of Execution provided on pages 2-5.

When a litigant is attempting to enforce a judgment issued within the Central District of California, the following documents must be submitted manually to the Clerk's Office:

1. Form [CV-23](#), Writ of Execution: 1 original and 1 copy.
2. Form [CV-24](#), Affidavit and Request for Issuance of Writ of Execution: 1 original and 1 copy.
3. No filing fee is required.
4. Each form must be filled out correctly utilizing the following guidelines:
  - ▶ Entry date of the judgment must match the entered date listed on the docket, not the filed date.
  - ▶ If the judgment was registered into the Central District from another District Court, the entered date must be the date that the judgment was entered into the Central District.
  - ▶ Name(s) of the Judgment Debtor(s) must be listed in its entirety, exactly how it appears within the judgment.
  - ▶ Any line referencing a monetary amount must be filled in with either \$0 or the amount specified in the judgment; no lines can be left blank.
  - ▶ If the judgment is entered "jointly and severally" against the debtors, this phrase must be included with the names of the debtors.
  - ▶ Name and address of the judgment debtor(s) must be listed on page three of the Writ of Execution.
  - ▶ Only one writ can be issued at a time. In order to obtain an Alias Writ of Execution, the litigant must first return the Original Writ of Execution to the Clerk's Office.
5. Self-addressed stamped return envelope.

If all conditions are satisfied, clerk will file the Affidavit and Request for Issuance of Writ of Execution and issue the Writ of Execution. Conformed copies of the Affidavit and the Original Writ of Execution will be mailed to the litigant by the clerk.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CASE NUMBER

PLAINTIFF(S)

v.

DEFENDANT(S).

AFFIDAVIT AND REQUEST FOR ISSUANCE  
OF WRIT OF EXECUTION

☐ State of California, County of \_\_\_\_\_  
☐ State of \_\_\_\_\_, County of \_\_\_\_\_

I, \_\_\_\_\_ hereby state under penalty of perjury that,

1. Judgment for \$ \_\_\_\_\_ was entered on \_\_\_\_\_ on the docket of the above-entitled action in the U. S. District Court, Central District of California in favor of \_\_\_\_\_ as Judgment Creditor, and against \_\_\_\_\_ as Judgment Debtor.

**\*\*If all creditors do not fit, attach an addendum.**

**If this is a Registered Judgment from another Court or District, include the following information.\*** Said Judgment was registered herein under Title 28, U.S. Code, Section 1963, being a Judgment which was obtained in Civil Case Number \_\_\_\_\_ in the United States District Court for the \_\_\_\_\_ District of \_\_\_\_\_ and which has become FINAL.

2. I am the Judgment Creditor, or the attorney for said Judgment Creditor, and request issuance of a Writ of Execution on the Judgment.
3. ACCRUED since the entry of judgment in the \_\_\_\_\_ District of \_\_\_\_\_ are the following sums:  
\$ \_\_\_\_\_ accrued interest, computed at \_\_\_\_\_% (See note.)  
\$ \_\_\_\_\_ accrued costs

Credit must be given for payments and partial satisfaction in the amount of \$ \_\_\_\_\_ which is to be credited against the total accrued costs and accrued interest, with any excess credited against the judgment as entered.

I declare under penalty of perjury that the foregoing is true and correct. Executed at \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ date of \_\_\_\_\_.

Place original signature here.

Signature

**\*Note: Judgments registered under 28 U.S.C. §1963 bear the rate of interest of the district of origin and calculated as of the date of entry in that district.**

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

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CASE NUMBER:

CV-

v.

Plaintiff(s)

Defendant(s)

**WRIT OF EXECUTION****TO: THE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA**

You are directed to enforce the Judgment described below with interest and costs as provided by law.

On \_\_\_\_\_ a judgment was entered in the above-entitled action in favor of:

as Judgment Creditor and against:

as Judgment Debtor, for:

\$ \_\_\_\_\_ Principal,  
\$ \_\_\_\_\_ Attorney Fees,  
\$ \_\_\_\_\_ Interest \*\*, and  
\$ \_\_\_\_\_ Costs, making a total amount of  
\$ \_\_\_\_\_ **JUDGMENT AS ENTERED**

**\*\*NOTE: JUDGMENTS REGISTERED UNDER 28 U.S.C. §1963 BEAR THE RATE OF INTEREST OF THE DISTRICT OF ORIGIN AND CALCULATED AS OF THE DATE OF ENTRY IN THAT DISTRICT.**

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WHEREAS, according to an affidavit and/or memorandum of costs after judgment it appears that further sums have accrued since the entry of judgment **in the** \_\_\_\_\_ **District of** \_\_\_\_\_, to wit:

\$ \_\_\_\_\_ accrued interest, and  
\$ \_\_\_\_\_ accrued costs, making a total of  
\$ \_\_\_\_\_ **ACCRUED COSTS AND ACCRUED INTEREST**

Credit must be given for payments and partial satisfaction in the amount of \$ \_\_\_\_\_ which is to be credited against the total accrued costs and accrued interest, with any excess credited against the judgment as entered, leaving a net balance of:

\$ \_\_\_\_\_ **ACTUALLY DUE** on the date of the issuance of this writ of which  
\$ \_\_\_\_\_ Is due on the judgment as entered and bears interest at \_\_\_\_\_  
percent per annum, in the amount of \$ \_\_\_\_\_ per day,  
from the date of issuance of this writ, to which must be added the  
commissions and costs of the officer executing this writ.

CLERK, UNITED STATES DISTRICT COURT

**\*\*Do not sign or date; this space is reserved for the clerk.**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

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The following are name(s) and address(es) of the judgment debtor(s) to whom a copy of the Writ of Execution must be mailed unless it was served at the time of the levy. This information must be filled in by counsel requesting this writ.

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#### **NOTICE TO THE JUDGMENT DEBTOR**

You may be entitled to file a claim exempting your property from execution. You may seek the advice of an attorney or may, within ten (10) days after the date the notice of levy was served, deliver a claim of exemption to the levying officer as provided in Sections 703.510 - 703.610 of the California Code of Civil Procedure.