Original – Court, 1st Copy – Prosecutor, 2nd Copy – Accused, Other copies as needed

Enter information in block letters in all parts of the Form except when reserved for Court use, which shall be completed by the Clerk.

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| (Judicial Region)  METC/MTCC/MTC/MCTC Case No.  RTC         (Municipality/City/Province)  BRANCH | For Court Use Only |
| People of the Philippines , v.  ,  *Accused.* |
| ATTORNEY OR PARTY WITHOUT ATTORNEY  *Name* ­­­  *Firm Name*  *Address*  *Email Address*  *Tel./Cel./Fax Nos.*  *PTR No.*       *Date/Place of Issuance*  *Roll No.*       *Date/Place of Issuance*  *IBP No.*       *Lifetime* *Date/Chapter*  *MCLE* *Compliance* *Exemption No.*  *Other Compliances* ­­­­­­­­­  *Attorney for*  *Prosecution:* *Public Prosecutor* *Private Prosecutor*  *Defense:* *Public Attorney* *Private Counsel*  *Other* |

**APPLICATION FOR PRELIMINARY ATTACHMENT**

The private complainant moves for the issuance of a Writ of Preliminary Attachment, and states:

1. a) The accused is about to abscond from the Philippines.
2. The civil aspect of this case involves a claim for money or property embezzled or fraudulently misapplied or converted to the use of the accused who is a public officer, officer of a corporation, attorney, factor, broker, agent, or clerk, in the course of his employment as such or by any other person in a fiduciary capacity, or for a willful violation of duty.
3. The accused has concealed, removed, or disposed of his property, or is about to do so.
4. The accused resides outside the Philippines.
5. The applicant is ready and able to post a bond in an amount equal to that fixed by the court in its order, conditioned upon the applicant’s payment of all the costs which may be adjudged to the adverse party and all the damages sustained by reason of the attachment, if the court finds that the applicant was not entitled to it.
6. The Affidavit/s of Merit in support of the Application is/are attached.

Counsel for Applicant-Private Complainant

NOTICE OF HEARING

Branch Clerk

Address

Public Prosecutor

Address

GREETINGS: Please take notice that the foregoing Application shall be submitted for the consideration and approval of the Honorable Court on       at      .

Counsel for Applicant-Private Complainant

SPECIAL INSTRUCTIONS

*Attachment*

When the civil action is properly instituted in the criminal action as provided in Rule 111, the offended party may have the property of the accused attached as security for the satisfaction of any judgment that may be recovered from the accused in the following cases:

* + 1. When the accused is about to abscond from the Philippines;
    2. When the criminal action is based on a claim for money or property embezzled or fraudulently misapplied or converted to the use of the accused who is a public officer, officer of a corporation, attorney, factor, broker, agent, or clerk, in the course of his employment as such, or by any other person in a fiduciary capacity, or for a willful violation of duty;
    3. When the accused has concealed, removed, or disposed of his property, or is about to do so; and

a) When the accused resides outside the Philippines. (Section 2, Rule 127, ROC)