

ATTORNEY OR PARTY WITHOUT ATTORNEY (*name and address*):
After recording, return to:

TEL NO.: FAX NO. (*optional*):

EMAIL ADDRESS (*optional*):

ATTORNEY
FOR

ORIGINAL JUDGMENT
CREDITOR

ASSIGNEE
OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

FOR RECORDER'S USE ONLY

PLAINTIFF/PETITIONER:

LEVYING OFFICER (*name and address*):

DEFENDANT/RESPONDENT:

NOTICE OF LEVY

under Writ of Execution (Money Judgment)

LEVYING OFFICER FILE NO.:

Sale

COURT CASE NO.:

TO THE PERSON NOTIFIED (*name*):

1. The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:

- a. Judgment debtor (*name*):
- b. The property to be levied upon is described:

in the accompanying writ of possession or writ of sale.

as follows:

2. The judgment is for (*check one*):

wages owed. child/spousal support. other.

3. The amount necessary to satisfy the judgment creditor's judgment writ is

- a. Total amount due (less partial satisfactions) from line 18 of writ (form EJ-130) \$
- b. Levy fee \$
- c. Sheriff's disbursement fee \$
- d. Recoverable costs \$
- e. Total (*a through d*) \$
- f. Daily interest from line 19a of writ (form EJ-130) \$ _____

4. You are notified as:

- a. a judgment debtor.
- b. a person other than the judgment debtor (*state capacity in which person is notified*):

(Read Information for Judgment Debtor or Information for Person Other Than Judgment Debtor on page two.)

Notice of Levy was

mailed on (*date*):

delivered on (*date*):

posted on (*date*):

filed on (*date*):

recorded on (*date*):

Date:



(TYPE OR PRINT NAME)

(SIGNATURE)

Levying officer

Registered process server

Page 1 of 2

SHORT TITLE:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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-INFORMATION FOR JUDGMENT DEBTOR-

1. The levying officer is required to take custody of the property described in item 1 in your possession or under your control.
2. There are automatic exemptions that financial institutions should apply to a deposit account before providing funds to the levying officer. See below for more information.
3. You may claim any available exemption for your property. A list of exemptions can be found on form EJ-155. **If you wish to claim an exemption for personal property, you must do so within 15 days after this notice was delivered to you or 20 days after this notice was mailed to you** by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. The date of filing is calculated as the date the claim is received by the levying officer, or the date of the postmark if the claim is mailed and assigned a tracking number by the U.S. Postal Service or another common carrier. **If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.**
4. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
5. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
6. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
7. All sales at an execution sale are final; there is no right of redemption.

- INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR -

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien, which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. If you are a financial institution, you are required to apply applicable exemptions to deposit accounts. See below.
3. You must complete the accompanying Memorandum of Garnishee within 10 days.
4. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property under sections 720.010–720.800 of the Code of Civil Procedure.
5. **Make checks payable to the levying officer shown on page 1.**

- INFORMATION ABOUT DEPOSIT ACCOUNTS -

1. If the levy is **not** to satisfy a judgment for wages owed, child or spousal support, or liability to the state government, financial institutions must automatically exempt money in a deposit account up to a certain dollar amount, under section 704.220 of the Code of Civil Procedure, with no claim of exemption required. See form EJ-156 for the exemption amount.
2. Other automatic exemptions may apply to deposit accounts, such as exemptions for directly deposited social security or public benefits under section 704.080. (See form EJ-156 for the exemption amounts.) Generally, the financial institution should apply the larger set of exemptions that apply to an account. See section 704.220(b).
3. If a judgment debtor has multiple accounts in one or more financial institutions, either the judgment creditor or judgment debtor may file an application in the superior court identified on the front of this form for an order as to which account the exemption should apply. (See section 704.220(e).) To get such an order, file an *Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157) as soon as possible. (See EJ-157-INFO for instructions.) If the judgment debtor has more than one account in a financial institution, that institution may decide how and to which account to apply the exemption, unless it is served with a court order directing how to apply the exemption.