

State of Minnesota  
Anoka County

AUG 01 2019

Conciliation Court  
Tenth Judicial District

Court File Number: 02-CO-19-1357

Case Type: Conciliation - Forfeiture

IRA LATRELL TOLES vs 2000 LEXUS  
ES300 VIN: JT8BF28G810297846  
PLATE#352-VGR, City Attorney's Office**Order for Judgment on Claim and  
Counterclaim**Appearances: ☒ Plaintiff ☒ Defendant ☐ Neither Party ☒ Contested ☒ Default

Upon evidence received, IT IS ORDERED:

☐ \_\_\_\_\_ is entitled to judgment against \_\_\_\_\_ for  
the sum of \$ \_\_\_\_\_, plus fees of \$ \_\_\_\_\_, disbursements of \$ \_\_\_\_\_,  
and conditional costs of \$ \_\_\_\_\_, for a total of \$ \_\_\_\_\_.☐ Judgment shall be entered in favor of \_\_\_\_\_ (without damages).☐ \_\_\_\_\_'s claim is dismissed without prejudice.☐ \_\_\_\_\_'s claim is dismissed without prejudice.☒ Plaintiff \_\_\_\_\_'s claim is dismissed with prejudice.☐ \_\_\_\_\_ shall immediately return \_\_\_\_\_\_\_\_\_\_ to the \_\_\_\_\_ and that the Sheriff of the  
county in which the property is located is authorized and directed to effect repossession of such property according to  
Minn. Stat. § 491A.01, subd. 5, and turn the property over to \_\_\_\_\_.☐ Other / ☒ Memo: # responsible for \$200Dated: 8/1/19 Judge: [Signature]**JUDGMENT** is declared and entered as stated in the Court's Order for Judgment set forth above, and the Judgment shall become  
finally effective on the date specified in the notice of judgment set forth below.Dated: 8/1/19 Court Administrator/Deputy: [Signature]**NOTICE:** THE PARTIES ARE NOTIFIED that Judgment has been entered as indicated above, but the Judgment is stayed by  
law until 8/26/19 (Time) 4:30 p.m. (to allow time for an appeal/removal if desired).THE PARTIES ARE FURTHER NOTIFIED that if the case is removed to District Court and the removing party does not prevail  
as provided in Rule 524 of the Minnesota General Rules of Practice for the District Courts, the opposing party will be awarded  
\$50 as costs.Dated: 8/1/19 Court Administrator/Deputy: [Signature]**Transcript of Judgment:** I certify that the above is a correct transcript of the Judgment entered by this Court.

Dated: \_\_\_\_\_ Court Administrator/Deputy: \_\_\_\_\_

IRA LATRELL TOLES vs 2000 LEXUS ES300 VIN:  
JT8BF28G810297846 PLATE#352-VGR, City Attorney's  
Office

**Court File Number:** 02-CO-19-1357

MEMORANDUM

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

**Order Vacating Judgment For Cause**

Minn. Gen. R. Prac. 520

Upon cause shown by the ☐ Plaintiff ☐ Defendant, the written judgment is vacated and costs in the amount of \$\_\_\_\_\_ is assessed against the ☐ Plaintiff ☐ Defendant as ☐ Absolute / ☐ Conditional costs.

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

**Order Vacating Judgment Upon Removal/Appeal**

Minn. Gen. R. Prac. 521(e)

Removal/Appeal by the ☐ Plaintiff ☐ Defendant having been perfected, the within judgment is vacated.

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



## **How Do You Pay a Judgment?**

- Payment should be made directly to the party that wins the case (prevailing party/creditor). If you are unable to pay the creditor directly, contact the court administrator (or conciliation court) for further information.
- If the prevailing party is paid directly, obtain a statement of payment from the party (satisfaction of judgment) and file this with the Court. Special forms for this procedure are available at the Conciliation Court office.
- If the Court is not properly notified of payment, you will have an unsatisfied judgment on your record and your credit rating may be affected.

## **How Do You Collect a Judgment?**

Although a case is decided in your favor, a Conciliation Court judgment does not create a lien against the debtor's property unless the procedure outlined below is followed. You can try to collect the judgment yourself if it has not been paid within the required 20-day period, and if the other party has not filed an appeal. Once a judgment is entered, the judgment is enforceable for 10 years from the date of entry. If the party is declared bankrupt following the judgment, you may receive part of your payment if assets are divided among the party's creditors, or the debt may be discharged and you cannot collect.

The following information may help you in collecting the amount of the judgment.

- In order to collect on your judgment you must obtain a transcript (record) of your judgment from the Conciliation Court and file it in District Court together with an Affidavit of Identification. The judgment will then be "docketed." There is a fee for obtaining that transcript.
- Upon docketing, you may obtain a Writ of Execution from the Court Administrator. A Writ of Execution is a legal paper authorizing the sheriff to levy (collect) on a debtor's assets. The most common assets that can be levied upon are bank accounts and wages. You must be able to provide detailed information regarding the assets before the sheriff can make a levy. There is a fee for an Execution. Fees expended for the Execution process may be recovered from the debtor.
- If you do not know what assets the judgment debtor has, you may request the Court to order the debtor to tell you what those assets are. You can make the request only if:
  13. The judgment has been transcribed to district court.
  14. You have not received payment of the judgment.
  15. You and the debtor have not agreed to some other method of settlement.

If those provisions can be met, the Request for Order for Disclosure form can be obtained from the Court Administrator. A fee is required. If the request is granted, the debtor will be ordered to complete and mail to you a listing of his/her assets within 10 days. Once you have that information, you can give the Execution to the sheriff, advise the sheriff of the debtor's assets and ask him/her to collect your judgment.

## **How Do You Appeal a Judgment?**

Any party who was not present at the trial, and who has good reason for not having been present, may apply to the Court, not later than the date indicated on the "Notice of Judgment" (on the front of this form) for permission of the Court to re-open the case for another trial. If the Court grants another trial, the Judge may require payment of costs to the other party, absolute or conditional.

Any party who believes this judgment to be incorrect may appeal to the District Court for a completely new trial by a different judge or by a jury if desired. The statutory requirements for such an appeal must be complied with not later than the date indicated on the "Notice of Judgment" (on the front of this form). These requirements are time-consuming and it is suggested that inquiries regarding the requirements be made well in advance of the date indicated. Please note that in District Court corporations must be represented by attorneys. The attorney must sign the appeal documents and appear at District Court hearings and trial.