**No. RM 5 REQUEST FOR DEFAULT JUDGMENT Case No. ${casenumber}**

${court}

**${onepname}** ${firstplaintiff}Plaintiff

${twop}

**${twopname}** Second Plaintiff

${/twop}

${threep}**${threepname}** Third Plaintiff

${/threep}

${fourp}**${fourpname}** Fourth Plaintiff

${/fourp}

${fivep}**${fivepname}** Fifth Plaintiff

${/fivep}

${sixp}**${sixpname}** Sixth Plaintiff

${/sixp}

${sevenp}**${sevenpname}** Seventh Plaintiff

${/sevenp}

and

**${onedname}** ${firstdefendant}Defendant

${twod}

**${twodname}** Second Defendant

${/twod}

${threed}**${threedname}** Third Defendant

${/threed}

${fourd}**${fourdname}** Fourth Defendant

${/fourd}

${fived}**${fivedname}** Fifth Defendant

${/fived}

${sixd}**${sixdname}** Sixth Defendant

${/sixd}

${sevend}**${sevendname}** Seventh Defendant

${/sevend}

${eightd}**${eightdname}** Eighth Defendant

${/eightd}

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

TO: The Sheriff of the Magistrate's Court at ${location}

Whereas in this action the said ${represent} on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ obtained judgment in the abovementioned court against the said **${debtorname}** ${addresstype} ${debtoraddress}**,** for the several sums set out in the margin hereof amounting in all to the sum of R${total} (excluding interest still to be added to the Capital Amount) of which R${paid} has since been paid.

This is therefore to authorise and require you to raise on the property of the said debtor the sum of R${total} together with your costs of this execution and pay to the said ${represent}’s Attorney the aforesaid sum of R${total} and return to this court what you have done by virtue hereof.

Amounts to be levied (with costs of execution):

|  |  |
| --- | --- |
| Judgment debt | R ${debt} |
| Costs | R ${costs} |
| Interest at the rate of 10.5% p.a., a *tempora morae*, to date of payment in full (to be added) |  |
| Cost of Issuing Warrant | R ${costwarrant} |
| Rule 33(23) (VAT) | R ${vat} |
| Subtotal | R ${subtotal} |
| Less amount paid since Judgment | R ${paid} |
| Total Due (Excluding Sheriff's Charges) | R ${total} |

DATED AT **${location}** THIS \_\_\_ DAY OF **${month}** **${year}.**

**MELLOWS & DE SWARDT INC. BY ORDER OF THE COURT**

Attorneys for ${represent} **Clerk of the Court**

${ourdetailsd}Dated at ${province}

${ourdetails}

${/ourdetailsd}

**Note:**

1 If the execution debtor pays the amounts specified in the margin hereof with the sheriff's charges of R within half an hour of the entry of the sheriff he will not be required to pay any further costs of execution. The amount of any payment made by the execution debtor and the date thereof shall forthwith be endorsed on the original and copy hereof, which endorsement shall be signed by the sheriff and countersigned by the execution debtor or his representative.

1. This execution may be paid out before sale, subject to the payment of the sheriff's fees and charges of execution, which may be required to be taxed.

3 The only immovable property upon which this warrant may be executed is

4 In the case of a re-issue the fact and date of re-issue and any increase or reduction in the amounts to be levied shown on the face hereof shall be set out in a note endorsed hereon and signed by the execution creditor or his attorney and by the clerk of the court.

5 Any alteration made herein shall be initialled by the clerk of the court before the warrant is issued or re-issued by him.