PETITION TO EXECUTE ON JUDGMENT

Purpose: This form is used by a judgment creditor to request the court to issue an order instructing the tribal police to seize certain property belonging to a judgment debtor so that a civil judgment can be satisfied.

How: The party requesting a writ of execution (judgment creditor) completes the information on the petition and then signs the petition.

Upon receipt of the petition, a hearing is usually scheduled on the petition. At the hearing, the court's main concern is to determine what type of property, which is subject to execution under the law, is being held by the judgment debtor and to decide if, under the law, the court can issue a writ of execution.

Copies: The original is stored in the court case file.
A copy is give to the judgment debtor and creditor.

_____,

PLAINTIFF,

Vs.

_____,

DEFENDANT.

)
)
)
) PETITION TO EXECUTE ON
) JUDGMENT
)
)
) CASE NO. _____
)
)

Plaintiff respectfully petitions this Court to order the Tribal police to execute on the personal property of _____, the judgment debtor on the above-entitled matter.

In support of this petition, the plaintiff states:

1. On the _____, day of _____, _____, a hearing was held on the above-entitled matter in Tribal Court;

2. At the time of the hearing, judgment in the amount of $_____ was entered against the defendant;

3. With due notice of the judgment, defendant has failed to pay the judgment or to commence making satisfactory installment payments.

Plaintiff requests the Court to order defendant to appear before this Court to answer under oath regarding all his personal property so that the Court can determine what property is available for execution.

Plaintiff further requests this Court to issue a Writ of Execution upon such property as is sufficient to satisfy the judgment debt, plus additional costs of $_____ incurred by plaintiff in seeking this action.

Dated this _____, day of _____,20____.

_____
PLAINTIFF