

4-915

[35-11-1 to 35-11-3 NMSA 1978] / [1978年新墨西哥州法令注释版(NMSA)第35-11-1至35-11-3章]

STATE OF NEW MEXICO/新墨西哥州
IN THE _____ COURT/法院
_____ COUNTY/郡/县

No. /案号 _____

_____, Plaintiff /原告

Against /状告

_____, Defendant /被告

PETITION FOR POST-JUDGMENT WRIT OF REPLEVIN
判决后财产发回令状申请

Comes now the plaintiff, petitioner herein, and alleges /现有原告 (本案申请人) 向本庭提出请求, 声称:

1. Plaintiff has a judgment against the defendant in this matter dated _____, _____, with a present value including post-judgment costs and accrued interest totaling \$ _____, the terms of which include plaintiff's right to recover following personal property /本案原告于 _____.

_____ (日期) 胜诉获判由被告赔偿现值总计 \$ _____

(含判决后成本及利息); 判决条款中包括原告索回以下个人财产之权利:

(attach exhibit if necessary)/ (必须时请附上物证)

2. Plaintiff believes that the property may be found at _____

which is within the jurisdiction of this court; /原告认为该财产可能在
_____, 位于本庭管辖范围内。

3. This court has jurisdiction to issue a writ of replevin returning to plaintiff the property described; /本庭拥有司法管辖权, 可发出将上述财产发回原告的财产发回令状。

4. The specific facts upon which a writ of replevin is requested are that plaintiff holds a valid, unsatisfied judgment against defendant, declaring that property formerly in the possession of plaintiff has been wrongfully taken or retained by defendant and defendant refuses to return it to plaintiff or pay the judgment amount; /请求财产归还令状所基于之事实为: 原告持有有效及尚未执行之胜诉判决; 宣称原告先前持有之财产为被告不当占用或持有, 而且被告拒绝将其归还原告或拒绝缴付判决金额;

WHEREFORE plaintiff prays for an order of this court requiring the sheriff of _____ county to take possession of the property and return it to the plaintiff. /为此, 原告请求本庭下令要求_____ 郡/县警长收缴该财产之所有权并发还原告。

Signed /签字

Name (print) /姓名 (大写)

Address (*print*) / 地址 (大写)

City, state and zip code (*print*) / 市、州及邮编 (大写)

Telephone number / 电话号码

Dated / 日期: _____

[Effective January 1, 1993.] / [1993年1月1日生效]