

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

_____,
Plaintiff,
v. _____,
Defendant.

No. _____

APPLICATION FOR WRIT OF EXECUTION

_____ the judgment creditor, states:

- (1) The judgment creditor has a judgment dated _____ (*date judgment filed*) against the judgment debtor whose name is _____, and whose last known address is _____. The total of the principal, interest, costs and attorney's fees awarded by the judgment was \$_____.

Since the judgment was entered, additional interest at the judgment rate of _____% and costs totals \$_____.

Payments totaling \$_____ have been received.

The unpaid balance now due is \$_____ (*insert this amount on Civil Form 4-801 as "Balance Due upon Application for Writ"*) plus interest from the date this Application is executed.

The estimated costs would equal \$_____; and the judgment creditor will seek \$_____ in attorney fees.

- (2) (*check one of the following*)

I served the judgment debtor with a notice of right to claim exemptions more than ten (10) days prior to filing this application for writ of execution and the judgment debtor has not filed a claim of exemption for the property to be seized and sold.¹

The judgment debtor has filed a waiver of the right to claim exemption for the property to be seized and sold.² T

The judgment debtor is not a natural person.

The judgment creditor requests the court to issue a Writ of Execution for non-exempt property for the judgment debt.

Judgment creditor or attorney for judgment creditor

Judgment creditor's name (*print*)

Address of judgment creditor (*print*)

Name of person signing for judgment Creditor (*print*)

Telephone number of judgment creditor

Name of judgment creditor's attorney (*print*)

Mailing address of judgment creditor's attorney
(*print number and street or P.O. box*)

City, State ZIP Code (*print*)

Telephone number of judgment creditor's attorney

AFFIDAVIT

(This application must be sworn to unless it is signed by an Attorney.)

I declare under penalty of perjury that the foregoing is true and correct.

Subscribed and sworn to before me this _____ day of _____, _____.

Notary or other officer authorized
to administer oaths

(*seal*)

USE NOTE

- 1 *If the judgment debtor is a natural person Civil Form 4-808A NMRA, Notice of Right to Claim Exemptions from Execution must have been served on the judgment debtor.*
- 2 *This alternative may be checked if the judgment debtor filed a waiver of the right to claim exemptions. See Civil Form 4-803, Claim of Exemptions, also contains the waiver form.*