

## Clark County Sheriff's Office ORDER AWARDING POSSESSION or WRIT OF REPLEVIN

**-Original Writ of Replevin (+ 3 copies) or 4 certified copies of the Order Awarding Possession** (signed by the judge or commissioner). The property to seize and turn over must be specifically listed in the body of the writ or order.

**-A copy of the bond to the defendant or Order Waiving Plaintiff's bond**

**-Original Sheriff's Indemnity Bond to Sheriff JOHN HORCH:**

- Bond will be at least double the value of the property being seized.
- The Sheriff's Office determines the final acceptable amount on the bond. We will contact you with appropriate bond amount. If available, you must provide information for the cost of the property involved. (An average value of a specific personal property with a backup information)
- The minimum bond amount will be \$10,000.00.
- Plaintiff (owner or managing member-not plaintiff's representative or attorney unless limited power of attorney is provided) and bonding company must sign the bond. Bond must have original signatures (blue ink) and original "wet" seal from bonding company.
- Bond caption must match the caption of the writ/order.
- The bond must have cause number and list the correct court order we are acting on.
- It is not recommended to provide bonds ahead of time unless you have communicated with our office and the bond amount has been established.

**Our office will not proceed if the provided bond does not meet the above-mentioned requirements.** To avoid delays or having the entire case returned, please make sure to follow the instructions.

**-Break and Enter Order (Original):**

- Must be address specific to the location of execution.
- Must be signed by the judge.
- B&E language may be included in the Order.

**-Letter of Instruction:**

- Information on the defendants and their address.
- Description and location of the property to be levied upon and approximate value of property.
- Name and phone numbers (direct) of contact persons who will handle the arrangements for picking up the property.
- Authorization to use our local keeper should there be a delay in plaintiff's representative responding to take possession of the seized property (you are responsible to pay all towing and storage costs).
- Special information, such as best time to attempt when defendants are home.

**-Deposit** – contact Civil Division for deposit amount. Attorney's check, money order, cashier's check, or cash (to the Clark County Sheriff's Office). If multiple items or time-consuming seizure will require a larger deposit. Our office does not stand by for an extended period waiting for a recovery company (additional fee may apply).

**An order awarding possession shall: (a) State that a show cause hearing was held; (b) describe the property and its location; (c) direct the sheriff to take possession of the property and put the plaintiff in possession as provided in this chapter; (d) contain a notice to the defendant that failure to turn over possession of the property to the sheriff may subject the defendant to being held in contempt of court upon application to the court by the plaintiff without further notice; (e) if deemed necessary, direct the sheriff to break and enter a building or enclosure to obtain possession of the property if it is concealed in the building or enclosure; and (f) be signed by the judge or commissioner.**