

STATE OF TENNESSEE, COUNTY OF MONTGOMERY

IMMEDIATE POSSESSION

To Any Lawful Officer To Execute and Return:

Summon each Defendant to appear before the Judge of the General Sessions Court of Montgomery County, on _____, 20____. To be held on the 2nd floor of the Courts Center located at 2 Millennium Plaza in Clarksville, then and there to answer in a civil action brought by the Plaintiff(s) to recover personal property.

OATH

I, _____, Plaintiff(s), Plaintiff's agent or attorney, do hereby make oath that, according to the affiant's information and belief, the Plaintiff is entitled to the possession of _____

the value of which is \$ _____, because: _____

_____. A copy of any writing upon which the Plaintiff's right of possession is founded is attached hereto. The Defendant has or detains the property, which was not subject to such seizure, detention, or execution, wherefore Plaintiff demands the possession thereof.

I further make oath that I am entitled to a Writ of Possession upon filing of this warrant because (CIRCLE APPLICABLE CLAUSE) (1) At least five days prior to the filing of this warrant I gave Defendant notice, together with a copy of this warrant and the attachments hereto, by certified mail, that I would appear before the General Sessions Court of Montgomery County, Tennessee, on _____, 20____ at _____, which notice has either been received by the Defendant or was mailed to him/her at the address shown in the attached contract. (2)(a)That the property involved herein was obtained by fraud, misrepresentation, or theft, or that the Defendant is (b) concealing the property, (c) likely to remove it from the jurisdiction of the Court, (d) likely to dispose of the property, (e) endangering the property by unusually hazardous use, (f) seriously impairing the Plaintiff's security interest in the property.

Date: _____

Affiant

Clerk/Deputy Clerk

JUDGMENT

Judgment for the Plaintiff for \$ _____ and the costs of this suit, and for the possession of the property described in the warrant. Unless Plaintiff has already secured possession thereof, the officer is directed to take the property described in the warrant out of the possession of the Defendant(s) and deliver the same to the Plaintiff(s). The Plaintiff(s) shall dispose of said property in accordance with the applicable provisions of the Uniform Commercial Code and shall notify the Defendant(s) the amount to be credited against this judgment prior to the issuance of any Writ of Execution.

Date: _____

Judge

Case # GS _____ CV _____

Plaintiff

Address

Phone

vs.

Defendant

Address

Defendant

Address

IMMEDIATE POSSESSION
Court of General Sessions
Wendy Davis, Clerk

Issued _____, 20____.

By _____, Deputy Clerk

Set for _____ at _____.

2 Millennium Plaza Suite 115, Clarksville, TN 37040

Reset for _____

Served Upon All Named Defendants
 All Defendants

Except: _____

Served _____, 20____

Sheriff/Constable (Process Server)

Attorney for Plaintiff

Telephone

Attorney for Defendant

Telephone



If you have a disability and require assistance, please contact 931-553-5113

TO THE CLERK OF THE GENERAL SESSIONS COURT OF MONTGOMERY COUNTY

FIAT

Upon the filing of the foregoing Warrant and upon the Plaintiff(s) giving bond as required by law in the amount of \$ _____, you will issue a Writ of Possession directing the Sheriff to take possession of the within described property and deliver it to the Plaintiff(s) and you will command the Sheriff to summon the Defendant(s) to appear and answer this Warrant at such time as may be fixed but within ten (10) days of the date of service.

Date: _____
Judge _____

We, _____, Principal,
and _____,
Surety, do hereby bind ourselves, our heirs and assigns to the Defendant(s), in the amount of \$ _____, but this obligation to be void should the Plaintiff(s) abide by and perform the judgment of the Court in the premises.

BOND

Date: _____

Principal _____ Surety _____

From which judgment _____

APPEAL

prayed an appeal to the Circuit court, which is granted upon _____.

Date: _____
Judge _____

NOTICE TO THE DEFENDANT(S):

Failure to appear and answer this summons may result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.