

§ 1-440.24. Form of notice of levy in garnishment proceeding.

The notice of levy to be served on the garnishee shall be substantially in the following form:

State of North Carolina
_____ County

In the Superior Court

_____,
Plaintiff,

vs.

_____, Notice to Levy
Defendant,
and

_____,
Garnishee.

To _____ Garnishee:

By virtue of the authority contained in an order of attachment issued by the Superior Court of _____ County and directed to me, I hereby levy upon any and all property that you have or hold in your possession for the account, use, or benefit of the defendant, and upon all debts owed by you to the defendant.

You are notified that a lien is hereby created on all the tangible property of the defendant in your possession, and that if you surrender the possession of, or transfer to anyone, any property belonging to the defendant, or if you pay any debt you owe the defendant, unless the same is delivered or paid to me or to the court for such proper disposition as the court may determine, you will be subject to punishment as for contempt, and that judgment may be rendered against you for the value of such property not exceeding the full amount of plaintiff's claim and costs of the action.

This the ____ day of _____, ____

Sheriff of _____ County.

(1947, c. 693, s. 1; 1999-456, s. 59.)