

ATTACHMENT PETITION

CASE NO.

Va. Code §§ 8.01-537, 16.1-105

.....
COURT NAME

.....
PLAINTIFF(S)

V.

.....
PRINCIPAL DEFENDANT(S)

.....
ATTORNEY FOR PLAINTIFF

.....
CO-DEFENDANT(S)

STATEMENT

{ Debt or Damages (II.a.)	\$ _____
{ Interest at _____% to Hearing Date	\$ _____
{ Specific Personal Property (I.a.)	\$ _____
{ Detention Damages (I.c.)	\$ _____
Bond Premium (if any)	\$ _____
Attorney's Fee (by contract)	\$ _____
Court Fees and Costs	\$ _____
Storage (estimated to hearing date)	\$ _____
TOTAL CLAIMED	\$ _____

PLAINTIFF(S) – claims against Principal Defendant(s) are to recover:

I. Specific personal property (estimated fair value shown in STATEMENT):

a.
DESCRIPTION OF PROPERTY (Including Kind and Quantity)

b.
CHARACTER OF ESTATE CLAIMED BY PETITION (Petitioner's Interest in the above Property)

c. Damages to which the plaintiff(s) – petitioner(s) is entitled to recover for its detention as shown in STATEMENT.
OR

II. A debt or damages (amount shown in STATEMENT):

a. debt due and owing based on a contract and which will be due and owing on DATE

damages for a breach of contract, express or implied

damages for a wrong

judgment for which no supersedeas or other appeal bond has been posted

b.
DETAILS OF PLAINTIFF-PETITIONER'S CLAIM

PLAINTIFF(S) – states that the prerequisite Grounds for Attachment number [from list on back] is present in this case and a list of facts supporting this grounds is attached and incorporated into this petition.

PLAINTIFF(S) – therefore request the following specific relief (if any):

levy

levy and take into possession (seize) } the following property:

the property described in I.a., above

..... with estimated fair market value of \$

such property in the estate of the principal defendant(s) as will satisfy the amount shown in TOTAL CLAIMED at right and such other relief as may be required and appropriate.

The statements above are true and accurate to the best of my knowledge and belief.

.....
 PLAINTIFF PLAINTIFF'S AGENT PLAINTIFF'S ATTORNEY

Acknowledged, subscribed and sworn to before me this day.

.....
DATE

.....
 CLERK MAGISTRATE JUDGE

A. The principal defendant or one of the principal defendants:

A. 1. Is a foreign corporation, or is not a resident of this Commonwealth, and has estate or has debts owing to such defendant within the county or city in which the attachment is, or that such defendant being a nonresident of this Commonwealth, is entitled to the benefit of any lien, legal or equitable, on property, real or personal, within the county or city in which the attachment is. The word "estate," as herein used, includes all rights or interests of a pecuniary nature which can be protected, enforced, or proceeded against in courts of law or equity;

A. 2. Is removing or is about to remove himself out of this Commonwealth with intent to change his domicile;

A. 3. Intends to remove, or is removing, or has removed the specific property sued for, or his own estate, or the proceeds of the sale of his property, or a material part of such estate or proceeds, out of this Commonwealth so that there will probably not be therein effects of such debtor sufficient to satisfy the claim when judgment is obtained therefor should only the ordinary process of law be used to obtain the judgment;

A. 4. Is converting, is about to convert or has converted his property of whatever kind, or some part thereof, into money, securities or evidences of debt with intent to hinder, delay, or defraud his creditors;

A. 5. Has assigned or disposed of or is about to assign or dispose of his estate, or some part thereof, with intent to hinder, delay or defraud his creditors;

A. 6. Has absconded or is about to abscond or has concealed or is about to conceal himself or his property to the injury of his creditors, or is a fugitive from justice.

The intent mentioned in subdivisions A. 4. and A. 5. above may be stated either in the alternative or conjunctive.

B. The specific personal property sought to be levied or seized:

B. 1. Will be sold, removed, secreted or otherwise disposed of by the defendant, in violation of an obligation to the plaintiff, so as not to be forthcoming to answer the final judgment of the court respecting the same; or

B. 2. Will be destroyed, or materially damaged or injured if permitted to remain in the possession of the principal defendant or one of the principal defendants or other person or persons claiming under them.

C. In an action for rent, there is an immediate danger that the property subject to the landlord's lien for rent will be destroyed or concealed.