



*Name of Plaintiff*

**NOTICE OF RIGHT TO  
HAVE EXEMPTIONS  
DESIGNATED**

**VERSUS**

*Name of Defendant*

**TO:**

*Name and Address of First Judgment Debtor*

**TO:**

*Name and Address of Second Judgment Debtor*

A judgement has been entered against you in the case captioned above in which you have been ordered to

- pay money over
- turn over various household belongings to the judgment creditor.

The judgment creditor (person who has the judgment against you) is now seeking to collect this judgment and has asked me to give you notice of your rights. Under the Constitution and laws of North Carolina, you have the right to exempt from the collection of the judgment certain of your property (in other words, to keep it from being taken away from you). If you wish to keep your exempt property, you **MUST** fill out the attached Motion to Claim Exempt Property and mail or take it to the Clerk of Court at the address listed below. You **MUST** also mail or take a copy to the judgment creditor at his address listed below. The law gives you another option of requesting, in writing, a hearing before the Clerk to claim your exemptions. If you make a written request for a hearing, you will be notified of the time and place of the hearing when you may claim your exemptions.

It is important that you respond to this Notice no later that twenty (20) days after it was served on you because you will lose valuable statutory rights if you do nothing. If you do not respond, you will give up your right to statutory exemptions and the judgment creditor may be able to take any or all of your property to satisfy the judgment. You have certain constitutional rights you may claim if you give up your statutory rights. You may wish to consider hiring an attorney to help you with this proceedings to make certain that you receive all the protections to which you are entitled.

**Name and address of Judgment Creditor or Attorney:**

**NOTICE TO THE JUDGMENT CREDITOR**

You may serve this Notice and the Motion to Claim Exempt Property by mailing a copy of each, registered or certified mail, return receipt requested, address to the judgment debtor. To prove service, you must file an affidavit (notarized by a notary public) with the Clerk asserting that (1) a copy of the notice of rights and Motion to Claim Exempt Property was deposited in the post office for mailing by registered or certified mail, return receipt requested; (2) it was in fact received as evidenced by the attached registry receipt or other evidence of delivery; and (3) the genuine receipt or other evidence of delivery is attached. You must attach the post office delivery receipt to the affidavit. Alternatively, service of the motion may be effected by any person who is not a party and who is at least 18 years of age following the procedures set forth in Federal Rules of Civil Procedure 4(e)(2). If your attempted service by certified or registered mail or personal service fails, you may then serve the judgment debtor by mailing a copy of notice and motion to him at his last known address. To prove service, you must file a certificate with the Clerk that the notice and motion were served indicating why you used such service, the date the notice was mailed and the address to which it was mailed. Remember, you may NOT use service by regular first class mail until you have tried first to serve the judgment debtor personally or by certified or registered mail and such service was unsuccessful.

**RETURN OF SERVICE**

I certify that this Notice and a copy of a motion to claim exempt property were received and served as follows:

**JUDGMENT DEBTOR 1**

<i>Date Served</i>	<i>Name of Judgment Debtor</i>
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- By delivering to the judgment debtor named above a copy of the notice and motion to claim exempt property.
  
- By leaving a copy of the notice and motion to claim exempt property at the dwelling house or usual place of abode of the judgment debtor named above with a person of suitable age and discretion then residing therein.

*Name and Address of Person with Whom Copies Left*

- Other manner of service (specify)

**JUDGMENT DEBTOR 2**

<i>Date Served</i>	<i>Name of Judgment Debtor</i>
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- By delivering to the judgment debtor named above a copy of the notice and motion to claim exempt property.
  
- By leaving a copy of the notice and motion to claim exempt property at the dwelling house or usual place of abode of the judgment debtor named above with a person of suitable age and discretion then residing therein.

*Name and Address of Person with Whom Copies Left*

- Other manner of service (specify)

*Signed:* \_\_\_\_\_ *Person Making Return (Printed)*