

4-801. Writ of execution.

[For use with Rules 2-801 and 3-801 NMRA]

STATE OF NEW MEXICO
IN THE _____ COURT

_____ COUNTY No. _____

_____, Plaintiff
_____, Plaintiff's Address
v.
_____, Defendant
_____, Defendant's Address

WRIT OF EXECUTION

THE STATE OF NEW MEXICO to the sheriff or a full-time salaried deputy sheriff of any New Mexico county:

Judgment having been entered in this action, you are ordered to levy against personal property of _____ at _____ in your county, the sum of \$ _____ (*which is the judgment and costs to date*) plus interest at the rate of _____ % per year from the _____ day of _____, _____ (*date of judgment*), and your fees thereon, and return this writ to me within sixty (60) days.

_____, _____

Judge or clerk

(This form may also be issued as a second or subsequent writ.)

RETURN

I certify that I carried out this writ of execution, as follows:
(*check appropriate box or boxes and fill in blanks*)

☐ The writ was served on judgment debtor on _____,
_____, and
☐ full payment was made
☐ partial payment was made in the amount of \$ _____
☐ No non-exempt personal property of judgment debtor was found on which levy could be made.
Property seized:

**CIVIL FORMS
4-801**

**Supreme Court Approved
October 31, 2025**

[] Personal property was taken into custody on _____, _____. A written inventory is attached.

[] Judgment debtor provided bond to retain possession; a copy of the bond is attached.

Date of return: _____

SHERIFF OF _____
COUNTY, State of New Mexico

By _____
Deputy or other authorized person

USE NOTES

The sheriff is obligated by law to make timely return.

Only non-exempt property may be seized. The sheriff may not seize any personal clothing, furniture or books ~~[or any jewelry unless the total value of all jewelry exceeds \$2,500.], or any other exempt property claimed by the judgment debtor and either (1) not disputed by the judgment creditor, or (2) disputed by the judgment creditor and adjudicated to be valid by the court. The sheriff must make inquiry of all applicable exempt property.~~

[As amended, effective July 1, 1992; January 1, 1995; January 1, 1996; as amended by Supreme Court Order No. S-1-RCR-2025-00174, effective for all cases pending or filed on or after December 31, 2025.]