

1 **4-801A. Writ of execution.**

2
3 [For use with Rule 1-065.1 NMRA]

4
5 STATE OF NEW MEXICO
6 IN THE DISTRICT COURT

_____ COUNTY No. _____

7
8 _____, Plaintiff

9 v.
10 _____, Defendant

11 **WRIT OF EXECUTION**

12
13
14 THE STATE OF NEW MEXICO to the sheriff or a full-time salaried deputy sheriff of any New
15 Mexico county:

16
17 Judgment having been entered in this action, you are ordered to levy against property of
18 _____ at _____ in your county, the sum of \$
19 _____ (which is the judgment and costs to date) plus interest at the rate of
20 _____ % per year from the _____ day of _____, _____ (date of
21 judgment), and your fees thereon, and return this writ to me within sixty (60) days.
22

_____, _____
Judge or clerk

23
24 (This form may also be issued as a second or subsequent writ.)

25
26 **RETURN**

27
28 I certify that I carried out this writ of execution, as follows:
29 (check appropriate box or boxes and fill in blanks)

30 The writ was served on judgment debtor on _____, _____, and

31 full payment was made

32 partial payment was made in the amount of _____

33 No non-exempt property of judgment debtor was found on which levy could be made.

34 **Property seized:**

35 I levied upon the following real property

36 Personal property was taken into custody on _____, _____. A
37 written inventory is attached.

38 Judgment debtor provided bond to retain possession. A copy of the bond is attached.

39 Date of return: _____

SHERIFF OF _____
COUNTY, State of New Mexico

By _____
Deputy or other authorized person

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USE NOTES

1. _____ The sheriff is obligated by law to make timely return.
2. _____ Only non-exempt property may be seized.
3. _____ 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.

[Adopted, effective July 1, 1992; as amended, effective 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.]