

**Using This Revisable PDF Form**

1. Copies (Contact the Clerk's Office to determine if you need to provide copies or if copies will be made by the Clerk's Office.)
  - a. Original - to court.
  - b. First copy - to defendant. If more than one defendant, provide a copy for each defendant.
  - c. Second copy - to plaintiff.
  - d. Third copy - to plaintiff for mailing.
2. All but Case Disposition are prepared by plaintiff (claim, parties, and court name and address) and clerk (Data Elements 3, 4, 5, 33, 36, 37, 38, 39, 40, 43, 44, 45). Case Disposition prepared by judge (Data Elements 18-32).
3. Possible Attachments
  - a. DC-413, CERTIFICATE OF MAILING, or its equivalent - if filed by plaintiff.
  - b. DC-325, REQUEST FOR WITNESS SUBPOENA - if completed before this form is issued.
4. Preparation Details
  - a. This form merges the application (claim) and civil warrant onto one form so that all but a few data elements needed for issuing the civil warrant are prepared by the plaintiff.
  - b. The alternate value must always be given even if plaintiff wants only to recover the items rather than recovering the items or their alternate value since the alternate value is used to determine if the claim is within the jurisdictional limits of the general district court set by Va. Code § 16.1-77(1).
  - c. The data elements for service of process on the back side of the Warrant in Detinue are to be completed for each defendant who is served.
  - d. In lieu of a separate certificate of mailing, the plaintiff may complete Data Elements Nos. 10 and 11 on the back of the form if the mailing to defendants occurs at or prior to filing of the warrant.
  - e. On the reverse side, Data Element Nos. 12, 13 and 14 are for optional use by clerks in tracking the issuance of post-judgment process. This data is added when such post-judgment process is prepared because the clerk's staff has to use the warrant in preparing and issuing post-judgment process.

Data Elements – Front

- 1. Court name.
- 2. Court street address.

To be completed by the Clerk:

- 3. Return date and time (date and time of scheduled appearance).
- 4. Date of issuance of this Warrant in Detinue.
- 5. Signature of person issuing this Warrant in Detinue. Check the appropriate title box below the signature line.

- 6. List each item claimed.
- 7. List the alternate value of each item claimed.
- 8. Total of alternate values from Data Element No. 7.
- 9. Amount of court costs claimed in this case.
- 10. Interest, if requested.
- 11. Attorney's fees (if any) claimed.
- 12. Total damages from alleged unjust detention.
- 13. Check the basis used to determine the alternate value.
- 14. Check the basis of the claim. If "Other" is checked, describe the basis of the claim.
- 15. Check the appropriate box regarding homestead exemption status.
- 16. Date of signing of claim.
- 17. Signature of person filing the claim. Check the appropriate title box below the signature line.

To be completed by the Judge at trial:

- 18. Check the last box and enter name of defendants only if judgment is entered against less than all defendants. If judgment is entered against all defendants, check first box.
- 19. Check the party authorized to make the election. If election given to defendant, insert number of days within which defendant must make election.
- 20. List the items described in Data Element No. 6 not subject to election by line number.
- 21. Insert total alternate value of the items excluded in Data Element No. 20.
- 22. Principal amount of damages.
- 23. Interest rate in annual percentage rate and date from which interest runs.

To be completed by the Judge at trial:

- 24. Court costs assessed against the defendant.
- 25. Attorney's fees awarded by the court.
- 26. Check the appropriate box.
- 27. Check the first box if judgment for all defendants is entered. If judgment for less than all defendants, also name the defendants for whom judgment is entered.
- 28. Check if a nonsuit is entered.
- 29. Check if the case is dismissed as to all defendants. If dismissal is for less than all defendants, also name the defendants for whom the case is dismissed.
- 30. Check the appropriate box. If there are multiple defendants and not all were present, list names of those present.
- 31. Date of entry of judgment.
- 32. Signature of judge.

- 33. Court case number (completed by Clerk at time of filing).
- 34. Names and addresses of plaintiffs.
- 35. Names and addresses of defendants.

To be completed by the Clerk:

- 36. Court receipt number.
- 37. Date on which clerk received fees.
- 38. Check box for method used to set contested cases.
- 39. If judge orders filing of bill of particulars, insert the appropriate dates.
- 40. If judge orders filing of grounds of defense, insert the appropriate dates.
- 41. Name and address of plaintiff's attorney.
- 42. Name and address of defendant's attorney.
- 43. Return date. Space is left for adding continuance dates.

Court use only:

- 44. Date of receipt of Notice of Satisfaction.
- 45. Initials of clerk or deputy clerk upon receipt of Notice of Satisfaction

**Data Elements - Reverse**

1. Name of person to be summoned. If person is a corporation's registered agent, show name of corporation on second line.

To be completed by Serving Officer:

2. Address and telephone number of person to be summoned.
3. Check this box if personal service obtained.
4. Serving officer to check the appropriate box to designate type of substitute service.
5. If served by leaving the subpoena with a family member age 16 or older check appropriate box and insert required information.
6. Check this box if unable to serve process.
7. Signature of serving officer.
8. Date of signature.
9. Name of sheriff if served by deputy sheriff.

10. Date that plaintiff mailed copy of pleading to defendant.

11. Signature of person mailing the pleading.

Court use only:

12. Date(s) WRIT OF FIERI FACIAS was issued.
13. Date(s) SUMMONS TO ANSWER INTERROGATORIES was issued.
14. Date(s) on WRIT GARNISHMENT SUMMONS was issued.

WARRANT IN DETINUE (CIVIL CLAIM FOR SPECIFIC PERSONAL PROPERTY)

Commonwealth of Virginia Va. Code §§ 16.1-79, 8.01-114, 8.01-121

1 General District Court
CITY OR COUNTY

2
STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER: You are hereby commanded to summon the defendant(s).
TO THE DEFENDANT(S): You are summoned to appear before this Court at the above address on

3 to answer the Plaintiff(s)' civil claim (see below)
RETURN DATE AND TIME

4 DATE ISSUED
5 [ ] CLERK [ ] DEPUTY CLERK [ ] MAGISTRATE

CLAIM: Plaintiff(s) claim the item(s) below to be unjustly withheld from Plaintiff's possession by Defendant(s).

Table with 4 columns: ITEM, ALTERNATE VALUE, ITEM, ALTERNATE VALUE. Includes rows for item descriptions and values, and a summary row for damages and costs.

Plaintiffs seek possession of the items listed above, or their alternative values, damages resulting from the unjust detention of the items by Defendant(s), attorney's fee as indicated and interest as indicated. The alternate values given are based upon [ ] actual value [or] [ ] amount due on written contract of sale for which the items were offered as security.

13 14 THE BASIS OF CLAIM IS: [ ] WRITTEN CONTRACT OF SALE [ ] OTHER (EXPLAIN)

HOMESTEAD EXEMPTION WAIVED? [ ] YES 15 [ ] NO [ ] cannot be demanded

16 17 DATE [ ] PLAINTIFF [ ] PLAINTIFF'S ATTORNEY [ ] PLAINTIFF'S EMPLOYEE/AGENT

18 [ ] JUDGMENT that Plaintiff(s) recover against [ ] named Defendant(s) [ ] possession of each item listed above, or its alternate value as shown above, at the election of [ ] Plaintiff(s) [or] [ ] Defendant(s), (if made within 20 days, then at election of Plaintiff(s)), with the exception of the following item nos.

21 22 (\$ Total Alternate Value Recoverable): \$ damages with interest: 23 \$ 24 costs and \$ 25 attorney's fee. INTEREST RATE AND BEGINNING DATE

26 Homestead exemption waived? [ ] Yes [ ] No [ ] Cannot be demanded

27 [ ] Judgment for [ ] Named defendant(s) [ ]

28 [ ] Non-suit [ ] Dismissed. 29 Defendant(s) present? [ ] YES [ ] No 30

31 32 DATE JUDGE

CASE NO. 33 34
PLAINTIFF(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)
v. 35
DEFENDANT(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)

WARRANT IN DETINUE

36 37

TO DEFENDANT: You are not required to appear; however, if you fail to appear, judgment may be entered against you. See the additional notice on the reverse about requesting a change of trial location. [ ] To dispute this claim, you must appear on the return date to try this case.

38 [ ] To dispute this claim, you must appear on the return date for the judge to set another date for trial.

Bill of Particulars 39 ORDERED DUE
Grounds of Defense 40 ORDERED DUE

ATTORNEY FOR PLAINTIFF(S)

ATTORNEY FOR DEFENDANT(S)

41 42

HEARING DATE AND TIME
43

JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION.

44 DATE

45 CLERK

DISABILITY ACCOMMODATIONS for loss of hearing, vision, mobility, etc., contact the court ahead of time.

**RETURNS: Each defendant was served according to law, as indicated below, unless not found.**

NAME ..... **1**

ADDRESS ..... **2**

**3**  PERSONAL SERVICE Tel. No. ....

Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

**5**

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Served on Secretary of the Commonwealth

**6**  NOT FOUND **7**

SERVING OFFICER

**8** for **9**

DATE

NAME .....

ADDRESS .....

PERSONAL SERVICE Tel. No. ....

Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Served on Secretary of the Commonwealth

NOT FOUND

SERVING OFFICER

for

DATE

NAME .....

ADDRESS .....

PERSONAL SERVICE Tel. No. ....

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Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Served on Secretary of the Commonwealth

NOT FOUND

SERVING OFFICER

for

DATE

**OBJECTION TO VENUE:**

To the Defendant(s): If you believe that Plaintiff(s) should have filed this suit in a different city or county, you may file a written request to have the case moved for trial to the general district court of that city or county. To do so, you must do the following:

1. Prepare a written request which contains (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the right corner, (c) Plaintiff(s)' name(s) and Defendant(s)' name(s), (d) the phrase "I move to object to venue of this case in this court because" and state the reasons for your objection and also state in which city or county the case should be tried, and (e) your signature and mailing address.
2. File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to plaintiff.
3. If you mail this request to the court, you will be notified of the judge's decision.

I certify that I mailed a copy of this document to the defendants named therein at the address shown therein on

**10** **11**

DATE  Plaintiff  
 Plaintiff's Atty.  
 Plaintiff's Employee/Agent

Fi. Fa. issued on ..... **12**

Interrogatories issued on: ..... **13**

Garnishment issued on ..... **14**