

**Using This Revisable PDF Form**

1. Prepared by applicant.
2. Attachments – NOTICE OF SALE.
3. Preparation details

This form is used after the court has taken some action affecting the property. This form is not used by the person having custody of the property claimed by different parties to start a case or, in an existing case, to turn the property over to the court and let the real parties in interest litigate the issues concerning the property. See form DC-428, WARRANT IN DEBT – INTERPLEADER, for the form to be used in such cases.

AFFIDAVIT for Summons in Interpleader

VA. CODE ANN. §§ 16.1-119-120

RETURN DATE

CASE NO.

1

General District Court

21

22

I, the undersigned applicant, state under oath the following:

1. On 2 DATE in connection with this case

- 3 { [ ] an execution on the judgment entered in this case was levied on certain property, namely:
[ ] a warrant of distress was levied on certain property involved in this case, namely:
[ ] a lien was acquired on money or other personal estate not capable of being levied upon, namely:

4

DESCRIPTION OF PROPERTY

- 5 { 2. [ ] To the best of my belief, the property in question is not of greater value than the maximum jurisdictional limits of the court.
[ ] This claim involves the disposition of an earnest money deposit pursuant to a real estate purchase contract.

6 3. The above-named property is about to be sold, or finally disposed of in order to satisfy the [ ] judgment [ ] distress warrant [ ] lien on

7

DATE OF SALE OR HEARING

8

LOCATION OF SALE OR HEARING

4. I claim the following interest in the property:

9

and request the Court to issue forthwith a Summons in Interpleader to be served on all parties to the original action named at right to have them show case why the above described property should not be discharged from the sale, and that such summons be made returnable according to law.

10

DATE

11

APPLICANT'S SIGNATURE

The AFFIDAVIT above was subscribed and sworn to before me this day:

12

DATE

13

CLERK

FOR NOTARY PUBLIC'S USE ONLY:

State of 14 [ ] City [ ] County of 15

Acknowledged, subscribed and sworn to before me this 16 day of , 20

by 17

18

NOTARY REGISTRATION NUMBER

19

NOTARY PUBLIC

(My commission expires: 20)

AFFIDAVIT for Summons in Interpleader

23

PLAINTIFF

V.

24

DEFENDANT

25

NAME OF APPLICANT

ADDRESS

**Data Elements**

1. Court name.
2. Date on which the action described in Data Element No. 3 occurred.
3. Check the appropriate box to show the action taken affecting the property described in Data Element No. 4.
4. Specific description of property.
5. Check applicable box.
6. Check the appropriate box to show the reason for the upcoming sale.
7. Date of sale or of hearing.
8. Street address where sale or hearing is scheduled to take place.
9. Description of nature of property interest claimed by the applicant.
10. Date of signing of affidavit.
11. Signature of applicant. (Not completed on-line.)
12. Date of acknowledgment by clerk, if applicable. (Not completed on-line.)
13. Signature of clerk, if applicable.

To be completed by Notary Public:

14. Enter name of state.
15. Check applicable box and enter the city or county where acknowledgment is taken.
16. Date of acknowledgment of this document.
17. Print name of person whose signature appears in Data Element No. 11.
18. Enter Notary's registration number.
19. Signature of Notary Public.
20. Enter date commission expires of Notary Public.

21. Return date. (If not known, inquire of court.)
22. Court case number – court use only. (Not completed by Applicant.)
23. Names of plaintiffs.
24. Names of defendants.
25. Names and address of applicant submitting this affidavit.