

Using This Revisable PDF Form

1. Copies
 - a. Original--to court.
 - b. First copy--to the defendant. If more than one defendant, provide a copy for each defendant.
2. Prepared by plaintiff, acknowledgment signed by clerk, magistrate, or judge.
3. Attachments
 - a. DC-416, DETINUE SEIZURE ORDER.
 - b. DC-447, PLAINTIFF'S BOND FOR LEVY OR SEIZURE.
 - c. DC-325, REQUEST FOR WITNESS SUBPOENA, IF COMPLETED.
 - d. List of facts. See Using This Form, 4.a.
4. Preparation details
 - a. Data Element No. 22 requires that a list of facts supporting the allegation be attached to the petition.

DETINUE SEIZURE PETITION

Virginia Code §§ 8.01-114

CASE NO. 1

2 COURT NAME

3 PLAINTIFF(S)

v.

5 DEFENDANT(S)

4 ATTORNEY FOR PLAINTIFF(S)

CO-DEFENDANT(S)

STATEMENT

ESTIMATED FAIR MARKET VALUE \$ 6
Unjust detention Damages \$ 7
Interest at % to Hearing Date \$ 8
Bond Premium (if any) \$ 9
Attorney's Fee (by contract) \$ 10
Court Fees and Costs \$ 11
Storage (estimated to hearing date) \$ 12
TOTAL CLAIMED \$ 13

Plaintiff(s)' claims against principal Defendant(s) are to recover

- 14 [] specific personal property listed below (put estimated fair market value of each item in blocks labeled "alternate value")
[] specific personal property listed below or its claimed alternate value

Table with 4 columns: ITEM (KIND AND QUALITY), ALTERNATE VALUE, ITEM (KIND AND QUALITY), ALTERNATE VALUE. Rows 1-5.

[] CONTINUED ON PAGE TWO

Summary table with 3 columns: TOTAL ALTERNATE VALUE (17), ALTERNATE VALUE BASED UPON (Amount due on Written Contract of Sale 18, Estimated Fair Market Value), ESTIMATED FAIR MARKET VALUE (if different from Alternate Value) (19).

20

The basis of this claim is [] a written contract for sale []

21

The homestead exemption has been [] waived [] not waived [] cannot be demanded (debt for purchase price).

22

Plaintiff(s) states that the prerequisite Grounds number [] [from list on back] is present in this case and a list of facts supporting this ground(s) is attached and incorporated into this petition. Plaintiff(s) therefore request the following relief:

- 1. Levy and take into possession (seize) the property described above.
2. Have such seized property delivered to the plaintiff(s) pending the completion of this case or until ordered otherwise.

(Check the applicable box)

- 23 [] This petition is filed in connection with the above-described pending detinue case in the above-named court.
[] No other detinue case between the parties involving the same claim is pending in a Virginia court.

The statements above are true and accurate to the best of my knowledge and belief.

24

[] PLAINTIFF [] PLAINTIFF'S AGENT [] PLAINTIFF'S ATTORNEY

Acknowledged, subscribed and sworn to before me this day.

26

[] CLERK [] MAGISTRATE [] JUDGE
[] NOTARY PUBLIC: My commission expires:

25 DATE

Data Elements

1. Court case number.
 2. Court name.
 3. Name and address of plaintiff.
 4. Name(s) of attorney(s) for plaintiff(s).
 5. Names and addresses of defendants, including co-defendants.
 6. Estimated fair market value.
 7. Amount of additional damages (if any) claimed for unjust detention of property that is the subject of this case.
 8. Insert interest rate and amount calculated to the hearing date if interest is claimed.
 9. If surety is used to serve Plaintiff's Bond for Levy and Seizure, DC-447, include bond premium.
 10. If claim involves a contract allowing attorney's fees to be collected, insert estimated attorney's fees.
 11. Insert estimated court fees and costs if actual fees are not known; otherwise, use actual fees.
 12. Insert estimated storage fees, if any.
 13. Insert total amount claimed.
 14. Check whether property only is claimed or property or alternate value.
 15. List each item claimed.
 16. List the alternative value for each item claimed.
 17. Total value [sum of items in No. 16].
 18. Check the basis used to determine the alternative value.
 19. Complete this block if the actual value is different from the alternate value.
 20. Check the basis of this claim and, if appropriate, describe the basis of this claim.
 21. Check the appropriate box regarding homestead exemption status.
 22. Insert grounds number that applies from back of form.
 23. Check appropriate box designating if detinue petition is part of a pending case.
 24. Signature of affiant. Check the appropriate status box.
- To be completed by person acknowledging signature:

 25. Date of acknowledgment of this document.
 26. Signature of person taking acknowledgment. Check the appropriate title box below the signature line. If a notary public, include notary registration number and place of notarization.

A. The principal defendant or one of the principal defendants:

- A. (1) Is a foreign corporation, or is not a resident of this Commonwealth, and has estate or has debts owing to such defendant within the county or city in which the attachment is, or that such defendant being a nonresident of this Commonwealth, is entitled to the benefit of any lien, legal or equitable, on property, real or personal, within the county or city in which the attachment is. The word "estate," as herein used, includes all rights or interest of a pecuniary nature which can be protected, enforced, or proceeded against in courts of law or equity;
- A. (2) Is removing or is about to remove himself out of this Commonwealth with intent to change his domicile;
- A. (3) Intends to remove, or is removing, or has removed the specific property sued for, or his own estate, or the proceeds of the sale of his property, or a material part of such estate or proceeds, out of this Commonwealth so that there will probably not be therein effects of such debtor sufficient to satisfy the claim when judgment is obtained therefor should only the ordinary process of law be used to obtain the judgment;
- A. (4) Is converting, is about to convert or has converted his property of whatever kind, or some part thereof, into money, securities or evidences of debt with intent to hinder, delay or defraud his creditors;
- A. (5) Has assigned or disposed of or is about to assign or dispose of his estate, or some part thereof, with intent to hinder, delay or defraud his creditors;
- A. (6) Has absconded or is about to abscond or has concealed or is about to conceal himself or his property to the injury of his creditors, or is a fugitive from justice.

The intent mentioned in Subdivisions A(4) and A(5) above may be stated either in the alternative or conjunctive.

B. The specific personal property sought to be levied or seized:

- B. (1) Will be sold, removed, secreted or otherwise disposed of by the defendant, in violation of an obligation to the plaintiff, so as not to be forthcoming to answer the final judgment of the court respecting the same; or
- B. (2) Will be destroyed, or materially damaged or injured if permitted to remain in the possession of the principal defendant or one of the principal defendants or other person or persons claiming under them.