

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
\_\_\_\_ CVS \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

vs.

\_\_\_\_\_,  
Defendant(s).

**ORDER IN AID  
OF EXECUTION**  
as to

Judgment Debtor(s)

THIS CAUSE came on for consideration before the undersigned Judge presiding in Mecklenburg County for an order in furtherance of the Writ of Execution issued in this cause. Appearing upon the verified Motion of Plaintiff's counsel that a Writ of Execution was issued by the Mecklenburg County Clerk of Court to the (*county name*) \_\_\_\_\_ County Sheriff and that said Execution remains outstanding, the Court finds as follows:

Judgment was entered herein; said Judgment was properly docketed with the Mecklenburg County Clerk of Court; the balance due on the Judgment is in the principal amount of \$ \_\_\_\_\_, plus total interest in the amount of \$ \_\_\_\_\_ as of (*date*) \_\_\_\_\_, accruing thereafter at the per diem rate of \$ \_\_\_\_\_ until paid in full, reasonable attorneys' fees in the amount of \$ \_\_\_\_\_, and the costs of this action in the amount of \$ \_\_\_\_\_, and the Sheriff's commission of 5% of the first \$500.00 and 2½% on all sums over \$500.00;

Pursuant to the above paragraph and the Writ of Execution issued herein, the payoff amount of this Judgment as of (*date*) \_\_\_\_\_, not including the Sheriff's commission, is \$ \_\_\_\_\_, with interest accruing at the per diem rate of \$ \_\_\_\_\_ from and after (*date*) \_\_\_\_\_, until paid in full.

Based upon the above findings of fact, the Court concludes as a matter of law that the property of **Defendant(s)** (*name*) \_\_\_\_\_, **the Judgment Debtor(s) herein**, is subject to levy upon execution pursuant, *inter alia*,

to North Carolina General Statutes § 1-359, 1-360 and 1-362, and the Court further concludes that the Plaintiff is entitled to an order forbidding any financial institution to transfer or dispose of property and/or funds due and owing to the Judgment Debtor(s), **up to the amount owing on the Judgment**, on the aforesaid execution.

IT IS, THEREFORE, **ORDERED** as follows:

1. Any financial institution to which this Order is presented is directed to cooperate with the levy under execution in this cause and is forbidden to transfer or dispose of any such funds and/or property due to **any or all of the Judgment Debtors herein**, except for application to the execution issued in this case, to the extent that this balance does not exceed the balance due on said execution including principal, interest, attorneys' fees, court costs, and the Sheriff's commission of 5% of the first \$500.00 and 2½% on all sums over \$500.00;
2. Any financial institution to which this Order is presented is directed to cooperate with the levy under execution in this cause and to provide information to the (*county name*) \_\_\_\_\_ County Sheriff and to the Plaintiff's attorney of record, (*name of firm or solo practitioner*) \_\_\_\_\_, concerning any or all assets held for the benefit of the Judgment Debtor(s);
3. **In the event any account is co-owned by any person other than the Judgment Debtor(s) herein, said financial institution shall immediately notify Plaintiff's attorney of this fact prior to freezing said account, and Plaintiff shall obtain a separate order from this Court to freeze such account and calendar this matter for a hearing;** and
4. With the exception of any account as described in Paragraph 3 herein, said institutions are directed to freeze immediately any and all accounts owned by the Judgment Debtor(s) at such institution, **including any subsequent deposits into any said account(s) after receipt of this Order until time of disbursement**; to notify Plaintiff's attorney of any such accounts and the

amount(s) therein; and to deliver immediately to the Sheriff of (*county name*)  
\_\_\_\_\_ County, to the attention of Deputy (*name,*  
*mailing address, telephone number and fax number*) \_\_\_\_\_

\_\_\_\_\_,  
any and all monies on hand therein, including certificates of deposit or other  
negotiable instruments, up to the amount of the indebtedness of said  
Judgment Debtor(s), as indicated by the Writ of Execution.

This the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Superior Court Judge Presiding  
Mecklenburg County, North Carolina