

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
 District Superior Court Division

Name Of Plaintiff

VERSUS

Name Of Defendant(s)

**NOTICE OF HEARING
IN
CLAIM AND DELIVERY**

G.S. 1-474.1

TO:

TO:

Name And Address Of Defendant 1

Name And Address Of Defendant 2

TAKE NOTICE that the plaintiff in this action has applied to this Court for an order for claim and delivery of the property described in the Affidavit served with this Notice. If you want to present reasons why you should not have the property taken from you, then you should appear at a hearing to be held before the undersigned Clerk of Superior Court at the date, time and place shown below.

Date Of Hearing

Time Of Hearing

AM
 PM

Place Of Hearing

At the hearing the plaintiff will present evidence, and you are allowed to present evidence. You may bring an attorney to the hearing. Upon the basis of the evidence presented, the Clerk will decide whether or not to issue an order directing the sheriff to take the property until a trial on the merits is held.

You are ORDERED not to willfully dispose of the property in any manner, nor remove or permit the removal of the property from the State of North Carolina, nor cause or permit willful damage or destruction of the property. If you fail to comply with this order, and it is finally determined that the plaintiff is entitled to possession of the property, you may be guilty of contempt of court and fined or imprisoned as provided by law.

Name And Address Of Plaintiff's Attorney

Date

Signature

Assistant CSC

Clerk Of Superior Court

WARNING TO DEFENDANT: Do not willfully dispose of, remove or permit the removal from the State of North Carolina, or cause or permit willful damage or destruction of the property described in the Affidavit because you may be held in contempt of court and may be fined or imprisoned.

RETURN OF SERVICE

I certify that this Notice and a copy of the Affidavit were received and served as follows:

DEFENDANT 1

Date Served

Name Of Defendant

- By delivering to the defendant named above a copy of the Notice and Affidavit.
- By leaving a copy of the Notice and Affidavit at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the Notice and Affidavit to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

Other Manner Of Service *(specify)*

Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served

Name Of Defendant

- By delivering to the defendant named above a copy of the Notice and Affidavit.
- By leaving a copy of the Notice and Affidavit at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the Notice and Affidavit to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

Other Manner Of Service *(specify)*

Defendant WAS NOT served for the following reason:

Service Fee Paid
\$

Date Received

Name Of Sheriff

Paid By

Date Of Return

County

Deputy Sheriff Making Return

NOTE TO SHERIFF: *This Notice of Hearing and Affidavit must be served at least ten (10) days prior to the date set for the hearing.*