Writ of Execution Notice

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The laws provide that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of $300.00. There are other exemptions which may be applicable to you. Within is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: 1.) Fill out the attached claim form and demand for a prompt hearing. 2.) Deliver the form or mail it to the Sheriff's office at the address noted. *You should refer to the Pennsylvania Rules of Civil Procedure, specifically Rule 3123 and Rule 3123.1, for the procedure to follow in filing your claims of exemption or immunity from levy or attachment.

You should come to court ready to explain and present evidence to support your claim of exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

WESTMORELAND BAR ASSOCIATION
129 NORTH PENNSYLVANIA AVENUE
GREENSBURG, PA 15601
(724)834-8490

CLAIM FOR EXEMPTION

To the Sheriff:

I, the within-named Defendant, claim exemption of property from levy or attachment:

1. From my personal property in my possession which has been levied upon,
   a.) I desire that my $300.00 Statutory exemption be
      I.) Set aside in kind (specify property to be set aside in kind):

      II.) Paid in cash following the sale of the property levied upon; or

   b.) I claim the following exemption (specify property and basis of exemption):

2. From my property which is in the position of a third party, I claim the exemptions:
   a.)My $300.00 Statutory exemption _____ in cash or _____ in kind (specific property):

   b.) Social Security benefits on deposit in the amount of $_____
   c.)Other (specify amount and basis of exemption):

I request a prompt court hearing to determine that exemption, Notice of the hearing should be given to me at:

_____

Address Telephone Number

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. section 4904 relating to unsworn falsifications to authorities.

_____ _____

Date Defendant

Pennsylvania and Federal law provide numerous exemptions of property from execution, including the following:

Exemptions under Pennsylvania Law

1. General $300. Statutory exemption, 42 Pa C.S. 8123
2. Particular personal property exemption – wearing apparel, bibles, and school books, sewing machines, uniforms and equipment, 42 Pa. C.S. 8124(a)
3. Certain retirement funds and accounts, 42 Pa. C.S. 8124(b)
   Public School Employees' Retirement Fund, 24 Pa. C.S. 8533 and 42 Pa. C.S. 8124 (b)(1)(i)
   State Employees' Retirement Fund, 42 Pa. C.S. 8124(b)(1)(ii) and 71 Pa. C.S. 5953
   Police Pension Funds, 42 Pa. C.S. 8124(b)(1)(iii)
   Philadelphia Pension Fund, 42 Pa. C.S. 8124(b)(1)(iv)
   Pittsburgh Pension Fund, 42 Pa. C.S. 8124(b)(1)(v)
   Pittsburgh Municipal Retirement Fund, 42 Pa. C.S. 8124(b)(1)(vi)
   Private employees' pensions or annuity funds, 42 Pa. C.S. 8124(b)(1)(vii)
   Self-employed retirement or annuity funds, 42 Pa. C.S. 8124 (b)(1)(viii)
   Retirement or annuity funds provided for under the Internal Revenue Code, 42 Pa. C.S. 8124(b)(1)(ix)
4. Certain insurance proceeds, 42 Pa. C.S. 8124(c)
   Fraternal society benefits, 42 Pa. C.S. 8124(c)(1), (8)
   Workmen's Compensation, 42 Pa. C.S. 8124(c)(2)
   Group insurance, 42 Pa. C.S. 8124(c)(5)
   Life insurance and annuities, 42 Pa. C.S. 8124(c)(3), (4), (6)
   Accident and disability insurance, 42 Pa. C.S. 8124(c)(7)
   No-fault motor vehicle accident benefits, 42 Pa. C.S. 8124(c)(9)
   Unemployment Compensation, 42 Pa. C.S. 8124(c)(10)
5. Personal earnings, subject to the exceptions under 23 Pa. C.S. Pt. IV relating to divorce and for support, board, certain damages arising from a residential lease, and student loan obligations, 42 Pa. C.S. 8127
6. Tangible personal property on international exhibition, 42 Pa. C.S. 8125
7. Common carrier, property in interstate transit, 42 Pa. C.S. 8126
8. Certain veteran benefits:
   Veteran's litigation awards (Vietnam herbicide), 51 Pa. C.S. 7902(a)
   Sums payable under:
   The Veterans' Compensation Act, 51 P.S. 20012
   The World War II Veteran's Compensation Act, 51 P.S. 20048
   The Korean Conflict Veteran's Compensation Act, 51 P.S. 20098
   The Vietnam Conflict Veteran's Compensation Act, 51 P.S. 20127

Exemptions under Federal Law

1. Certain wages and compensation
   Longshoremen's and harbor workers' compensation, 33 U.S.C. 916
   Injury and death resulting from war-risk hazard, 42 U.S.C. 1717
2. Social Security benefits, 42 U.S.C. 407
3. Certain retirement funds and accounts:
   Civil Service, 5 U.S.C. 8346(a)
   Foreign Service, 22 U.S.C. 4060(c)
   Railroad Retirement, 45 U.S.C. 231(m)
   Judges' widows' annuities, 28 U.S.C. 376(n)
4. Certain veteran and armed forces benefits:
   Laws administered by the Veterans Administration, 38 U.S.C. 1970 and 5301
   Armed Forces Survivor Benefit Plan, 10 U.S.C. 1450(i)
   Savings deposited with armed forces, 10 U.S.C. 1035(d)
   Medal of Honor Roll Special Pension, 38 U.S.C. 1562(c)
5. Miscellaneous:
   Property of a Foreign State, 28 U.S.C. 1609, 1611
   Rail Fund, 45 U.S.C. 822(e)

THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF WESTMORELAND COUNTY

Sheriff of Westmoreland County
Westmoreland County Courthouse
Greensburg, Pa 15601
(724)830-3457
1-800-442-6926 ext. 3457