

1 4-803

2 [1-065.1, 2-801, 3-801]

3 STATE OF NEW MEXICO

4 IN THE _____ COURT
5 _____ COUNTY

No. _____

6 _____, Plaintiff

7 against

8 _____, Defendant

9 CLAIM OF EXEMPTIONS ON EXECUTION

10 A JUDGMENT HAS BEEN ENTERED AGAINST YOU. ALL OF THE PROPERTY
11 YOU POSSESS MAY BE SEIZED AND SOLD TO PAY THIS JUDGMENT. YOU
12 MUST COMPLETE AND RETURN THIS FORM WITHIN TEN (10) DAYS TO
13 CLAIM ANY STATUTORY EXEMPTION FROM THIS SEIZURE AND SALE.

14 (check only applicable boxes)

15 Part I. Homestead exemption

16 (This part is for use only in the district court)

17 [] Judgment debtor owns, leases or is purchasing a dwelling
18 house which judgment debtor occupies and is entitled to
19 hold exempt a homestead in the amount of thirty thousand
20 dollars (\$30,000) under Section 42-10-9 NMSA 1978.

21 Part II. Exemption in lieu of homestead exemption

22 (Parts II and III are for use in the district
23 court, magistrate court and metropolitan court)

24 [] Judgment debtor is a resident of this state who does not
25 claim a homestead exemption, but claims an exemption of
26 real or personal property in the amount of two thousand
27 dollars (\$2,000) under Section 42-10-10 NMSA 1978. The
28 property claimed to be exempt is as follows:

| 29 LIST PROPERTY | STATED VALUE |
|------------------|--------------|
| 30 _____ | \$ _____ |
| 31 _____ | \$ _____ |

32 (Attach additional page if necessary)

1 **Part III. Personal property exemptions**

2 Unless the judgment debtor files a written waiver of
3 exemption, the sheriff may not seize the judgment debtor's
4 personal clothing, furniture or books.

5 In addition to the property claimed or listed as exempt above,
6 the judgment debtor hereby claims the following exemptions:

7 *(check only applicable boxes)*

8 personal property worth up to \$500

| | | |
|----|--|---------------------|
| | LIST ITEMS | STATED VALUE |
| 9 | | |
| 10 | _____ | \$ _____ |
| 11 | <i>(Attach additional page if necessary)</i> | |

12 tools of the trade worth up to \$1,500.
13 Occupation of judgment debtor: _____

| | | |
|----|--|---------------------|
| | LIST ITEMS | STATED VALUE |
| 14 | | |
| 15 | _____ | \$ _____ |
| 16 | <i>(Attach additional page if necessary)</i> | |

17 one motor vehicle worth up to \$4,000 or that amount of
18 equity in a more valuable vehicle

| | | |
|----|--|--------------------------|
| | MAKE, MODEL AND YEAR OF VEHICLE | FAIR MARKET VALUE |
| 19 | | |
| 20 | _____ | \$ _____ |

21 Amount of any lien on vehicle: \$ _____.

22 jewelry worth up to \$2,500

| | | |
|----|--|---------------------|
| | LIST JEWELRY ITEMS | STATED VALUE |
| 23 | | |
| 24 | _____ | \$ _____ |
| 25 | <i>(Attach additional page if necessary)</i> | |

26 medical-health equipment being used for the health of the
27 claimant or a member of the household of the claimant and
28 not in a profession; *(Attach separate sheet setting*
29 *forth items claimed and the name of the household member*
30 *and the medical condition of the member.)*

- 1 [] pensions or retirement funds;
- 2 [] not more than \$5,000 in benefits from a benevolent
3 association of which the judgment debtor is a member;
- 4 [] building materials not financed by the judgment creditor
5 in this action as provided by Section 48-2-15 NMSA 1978;
- 6 [] a partner's interest in specific partnership property
7 subject to the limitations of Section 54-1-25 NMSA 1978;
- 8 [] worker's compensation benefits subject to the limitations
9 of Section 52-1-52;
- 10 [] occupational health benefits as provided by Section
11 52-3-37 NMSA 1978;
- 12 [] unemployment compensation benefits subject to the
13 limitations of Section 51-1-37 NMSA 1978 for necessities
14 furnished while the debtor was unemployed and child
15 support;
- 16 [] public assistance and welfare benefits;
- 17 [] cash surrender values and benefits of life insurance
18 contracts;
- 19 [] payment from life, accident and health insurance policies
20 or annuity contracts;
- 21 [] crime victims' reparation fund payments;
- 22 [] fraternal benefit society benefits;
- 23 [] the minimum amount of shares necessary for certain
24 cooperative associations subject to the limitations
25 provided by Section 53-4-28 NMSA 1978;
- 26 [] the debtor's membership interest in the property of a
27 club or association pursuant to Section 53-10-2 NMSA
28 1978;
- 29 [] oil and gas equipment not financed by the judgment
30 creditor to be used for purposes for which it was
31 purchased as provided by Section 70-4-12 NMSA 1978;

1 [] allowances to surviving spouse and children from estate
2 of a deceased estate subject to the limitations of
3 Sections 45-2-401 and 45-2-402 NMSA 1978;

4 **THIS LIST MAY NOT BE COMPLETE. YOU MAY CLAIM ANY OTHER**
5 **EXEMPTION PERMITTED BY LAW BY COMPLETING THE FOLLOWING:**

6 [] other exemption (*specify*) _____
7 _____.

8 I am aware of my exemption rights:

9 [] I desire to claim my exemption rights

10 [] I waive my right to claim my exemption rights to the
11 following property

| 12 LIST ITEMS | STATED VALUE |
|---|--------------|
| 13 _____ | \$ _____ |
| 14 (<i>Attach additional page if necessary</i>) | |

15 I understand that by waiving my statutory right to
16 exempt property, this property may be seized and
17 sold.

18 **YOU MUST RETURN A COMPLETED AND SIGNED COPY OF THIS FORM TO**
19 **THE CLERK OF THE COURT WHOSE ADDRESS IS SHOWN BELOW. YOU MUST**
20 **ALSO SERVE A COPY ON THE JUDGMENT CREDITOR.**

21 _____, 19_____
22 _____
Signature of judgment debtor

23 **Return to clerk of the court**

24 _____
25 Name of court Printed name of judgment debtor

26 _____
27 Address Street address or P.O. box

28 _____
29 City, state & zip code City, state & zip code

30 _____

1 Telephone number

2 **USE NOTE**

3 *The judgment creditor may dispute any of*
4 *the claimed exemptions. If the judgment*
5 *creditor disputes claimed exemptions and*
6 *files a request for hearing on the claimed*
7 *exemptions, the clerk will schedule a*
8 *hearing on the claimed exemptions.*

9 [As amended, effective January 1, 1986; July 1, 1992; May 1,
10 1994; January 1, 1996.]

11 ~~KEYBOARD()~~DBD::DB2::st execute failed: [IBM][CLI
12 Driver][DB2/6000] SQL0530N The insert or update value of the
13 FOREIGN KEY "DBUSER.BILLDETAIL.SQL980508102800170" is not
14 equal to any value of the parent key of the parent table.
15 SQLSTATE=23503