

**STATE OF TENNESSEE, COUNTY OF KNOX  
TO ANY LAWFUL OFFICER TO EXECUTE AND RETURN:**

I command you to summon the defendant(s) \_\_\_\_\_

to appear before the GENERAL SESSIONS COURT OF KNOX COUNTY, TENNESSEE, to be held in the courtroom of said court in said County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at 9:00 a.m.,

and answer the civil action brought by the plaintiff \_\_\_\_\_ for the recovery of the following personal property: \_\_\_\_\_

and/or money judgment in Case of Detinue in the sum of \$ \_\_\_\_\_ UNDER \$ \_\_\_\_\_ Dollars.

**DEFENDANT(S):** YOU ARE HEREBY NOTIFIED IF YOU FAIL TO APPEAR AND OFFER EVIDENCE, THE COURT WILL ISSUE A WRIT OF POSSESSION FOR THE PROPERTY DESCRIBED HEREIN, AND A DEFAULT JUDGMENT FOR THE RELIEF SOUGHT WILL BE ENTERED AGAINST YOU.

Tested and Issued \_\_\_\_\_, 20\_\_\_\_\_.

**CATHERINE F. QUIST  
CLERK**

\_\_\_\_\_  
**Deputy Clerk**

**AFFIDAVIT**

I, \_\_\_\_\_, **PLAINTIFF(S), PLAINTIFF'S AGENT OR ATTORNEY, DO HEREBY MAKE**  
Name & Address  
**OATH THAT PLAINTIFF IS ENTITLED TO POSSESSION OF THE FOLLOWING DESCRIBED PERSONAL PROPERTY, TO WIT, \_\_\_\_\_**

**PLAINTIFF IS ENTITLED TO POSSESSION BECAUSE (IF BASED ON A WRITTEN DOCUMENT A COPY MUST BE ATTACHED): \_\_\_\_\_**

**THE VALUE OF THE PROPERTY HEREIN DESCRIBED IS \$ \_\_\_\_\_ DOLLARS.**

**IF EXPEDITED WRIT COMPLETE THE FOLLOWING:**

**PLAINTIFF(S) IS ENTITLED TO IMMEDIATE POSSESSION BECAUSE: \_\_\_\_\_**

**THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
**AFFIANT**

**SWORN AND SUBSCRIBED TO THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
**NOTARY PUBLIC**

**MY COMMISSION EXPIRES \_\_\_\_\_**

# JUDGMENT

Judgment for the plaintiff for \$ \_\_\_\_\_ and cost of the cause and for the possession of the property described in the warrant. The Officer is hereby directed to take the property described in the warrant out of the possession of the defendant(s) and deliver the same to the plaintiff(s). The plaintiff(s) shall dispose of said property in accordance with the applicable provisions of the Uniform Commercial Code and shall notify the defendant(s) the amount to be credited against this judgment prior to the issuance of any writ of execution.

JUDGMENT ENTERED BY:

Default Dismissed: Cost taxed to: Agreement Without Prejudice Plaintiff Trial With Prejudice Defendant

Defendant(s) \_\_\_\_\_ in court and admitted to jurisdiction of court.

This the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Judge \_\_\_\_\_ Division \_\_\_\_\_

FIAT

Upon posting bond of \$ \_\_\_\_\_ Defendant(s) are hereby restrained from damaging, concealing, or removing the described property from the jurisdiction of the Court. IF THIS RESTRAINING ORDER IS VIOLATED, DEFENDANT(S) COMMITS A CLASS C MISDEMEANOR AND IS SUBJECT FOR EACH VIOLATION TO A FINE NOT TO EXCEED FIFTY DOLLARS (50) AND/OR IMPRISONMENT UP TO THIRTY (30) DAYS.

DATE \_\_\_\_\_

JUDGE \_\_\_\_\_

### PLAINTIFF'S BOND FOR RESTRAINING ORDER

We hereby bind ourselves, our heirs, and assigns to Defendant(s) in the penalty sum of \$ \_\_\_\_\_, being the value of the described property, this obligation to be void should Plaintiff(s) abide by and perform the judgment of the Court in this matter.

Date: \_\_\_\_\_

Principal: \_\_\_\_\_

Surety: \_\_\_\_\_

# ACTION TO RECOVER PERSONAL PROPERTY

NO. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLAINTIFF

DEFENDANT PRINCIPAL  
I HEREBY CERTIFY THAT I HAVE SERVED THE WITHIN SUMMONS

BY DELIVERING ON THE \_\_\_\_\_

DAY OF \_\_\_\_\_, 20\_\_\_\_.

AT \_\_\_\_\_M. A COPY OF THE SUMMONS & COMPLAINT TO THE FOLLOWING DEFENDANT(S)

AND CITING THE DEFENDANT(S) FOR TRIAL ON

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AT 9:00 A.M.

RESET FOR \_\_\_\_\_

RESET FOR \_\_\_\_\_

BY: SHERIFF/PROCESS SERVER

PLAINTIFF'S ATTY.

ADDRESS & PHONE NUMBER

DEFENDANT'S ATTY.

ADDRESS & PHONE NUMBER

# BOND

We, \_\_\_\_\_ Principal, and \_\_\_\_\_ Surety, do hereby bind ourselves, our heirs and assigns to \_\_\_\_\_, defendant(s), in the penal sum of \$ \_\_\_\_\_ Dollars, being no more than the value of the property above described, this obligation to be void. Should the plaintiff(s) pay cost of damages adjudged against him and shall abide by and perform the judgment of the Court.

This the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SURETY

# WAVIER

I (we), \_\_\_\_\_, the defendants herein, acknowledge that the plaintiff is entitled to possession of the described property, and I (we) hereby voluntarily waive any right to a hearing by tendering the property herewith to the officer, and I (we) acknowledge that if I (we) do not appear and answer as to the merits of the matter on the date specified herein, that a default judgment may be entered against me (us). I (we) the defendant(s) herein acknowledge that the process server has read and explained to me (us) that I (we) have a constitutional right to a hearing and that I (we) are not required to sign this document of waiver and that I (we) have signed this document of waiver voluntarily.

DEFENDANT(S)

### NOTICE TO THE DEFENDANT(S)

Tennessee law provides a four thousand dollar (\$4,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final. It will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.