UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
_____ **Division**

IN RE: CASE NUMBER:

DEBTOR(S)

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_____  )
                              )
JUDGMENT CREDITOR             )
(PLAINTIFF)                   )
                              )
                              )
VS.                           )          ADVERSARY PROCEEDING
                              )          NUMBER:
                              )
JUDGMENT DEBTOR               )
(DEFENDANT)                   )
                              )
                              )
_____  )
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NOTICE OF RIGHT TO HAVE EXEMPTIONS DESIGNATED

A judgment has been entered against you in the case captioned above in which you have been ordered to:

[ ]   pay money over to the judgment creditor (Plaintiff).

[ ]   turn over various household belongings to the judgment creditor (Plaintiff).

        The judgment creditor (person who has the judgment against you) is now seeking to collect this judgment and has asked me to give you notice of your rights. Under the Constitution and laws of North Carolina, you have the right to exempt from the collection of the judgment certain of your property (in other words, to keep it from being taken from you). If you wish to keep your exempt property, you MUST fill out the attached schedule of property and mail or take it to the Clerk at the address listed below. You MUST also mail or take a copy to the judgment creditor (plaintiff) at his address listed below.

        It is important that you respond to this notice no later than 20 days after it was served on you because you will lose valuable constitutional and statutory rights if you do nothing. If you do not respond, you will give up your right to exemptions and the judgment creditor (plaintiff) may be able to take any or all of your property to satisfy the judgment. You may wish to consider hiring an attorney to help you with this proceeding to make certain that you receive all the protection to which you are entitled under the North Carolina Constitution and laws.

Judgment Creditor (Plaintiff) or Attorney	Date
Address	Signature
Telephone	Clerk, U.S. Bankruptcy Court, EDNC P.O. Box 791, Raleigh, NC 27602

Notice to the Judgment Creditor (Plaintiff)

You may serve this notice and the motion to claim exempt property by mailing a copy of each, registered or certified mail, return receipt requested, addressed to the judgment debtor (defendant). To prove service, you must file an affidavit (notarized by a notary public) with the clerk asserting that (1) a copy of the notice or rights and motion to claim exempt property was deposited in the post office for mailing by registered or certified mail, return receipt requested; (2) it was in fact received as evidenced by the attached registry receipt or other evidence of delivery; and (3) the genuine receipt or other evidence of delivery is attached. You must attach the post office delivery receipt to the affidavit.

Alternatively, you may choose to have this notice and the motion served by the U.S. Marshal. If you select this method, you must pay a service fee. The Marshal's service will be proven by his return.

If your attempted service by certified or registered mail or personal service by the Marshal fails, you may then serve the judgment debtor (defendant) by mailing a copy of notice and motion to him at his last known address. To prove service, you must file a certificate with the clerk that the notice and motion were served indicating why you used such service, the date the notice was mailed and the address to which it was mailed. Remember, you may NOT use service by regular first class mail until you have tried first to serve the judgment debtor (defendant) personally or by certified or registered mail and such service was unsuccessful.

RETURN OF SERVICE BY U.S. MARSHAL		
I certify that this notice and a copy of a motion to claim exempt property were received and served as follows:		
Date Served	Name of Judgment Debtor (Defendant)	
[ ] By delivering to the judgment debtor (defendant) named above a copy of the notice and motion to claim exempt property.		
[ ] By leaving a copy of the notice and motion to claim exempt property at the dwelling house or usual place of abode of the judgment debtor (defendant) named above with a person of suitable age and discretion.		
Name of person with whom copies left.		
Address where copies delivered or left.		
[ ] Debtor (Defendant) WAS NOT served for the following reason:		
Service Fee Paid	Date Received	Name of U.S. Marshal Making Return:
	Date of Return	Address: