

1 Code:
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

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8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

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12 _____,
13 Plaintiff / Petitioner, Case No. _____
14 vs. Dept. No. _____
15 _____,
16 Defendant / Respondent.

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19 CLAIM OF EXEMPTION FROM EXECUTION

20 I submit this Claim of Exemption from Execution and state as follows:

21 I am a defendant in this case and have received a notice of execution or garnishment regarding
22 the attachment or garnishment.

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24 PROCEDURE FOR CLAIMING EXEMPT PROPERTY

25 If you believe that the money or property taken from you, or levied upon, is exempt, you must
26 complete, sign and file with the clerk of the court this claim of exemption. A copy of the claim of
27 exemption must be served upon the sheriff, the garnishee and the judgment creditor within ten days
28

1 after the notice of execution or garnishment is served on you by mail pursuant to NRS 21.076 which
2 identifies the specific property that is being levied on.

3 If the property that is levied on is your earnings, you must file the claim of exemption within ten
4 days after each withholding of your earnings.

5 Any property you claim as exempt must be released by the garnishee or the sheriff within nine
6 judicial days after you serve the claim of exemption upon the sheriff, garnishee and judgment
7 creditor, unless the sheriff or garnishee receives a copy of an objection to the claim of exemption
8 and a notice for a hearing to determine the issue of exemption. If this happens, a hearing will be
9 held to determine whether the property or money is exempt.
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11 The objection to the claim of exemption and notice for the hearing to determine the issue of
12 exemption must be filed within eight judicial days after the claim of exemption is served on the
13 judgment creditor by mail or in person and served on the judgment debtor, the sheriff and any
14 garnishee not less than five judicial days before the date set for the hearing. The hearing to
15 determine whether the property or money is exempt must be held within seven judicial days after
16 the objection to the claim of exemption and notice for the hearing is filed.
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18 You may be able to have your property released more quickly if you mail to the judgment
19 creditor or the attorney of the judgment creditor written proof that the property is exempt. Such
20 proof may include, without limitation, a letter from the government, an annual statement from a
21 pension fund, receipts for payment, copies of checks, records from financial institutions or any other
22 document which demonstrates that the money in your account is exempt.
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24 **IF YOU DO NOT FILE THE EXECUTED CLAIM OF EXEMPTION WITHIN THE TIME**
25 **SPECIFIED, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE**
26 **JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT.**
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1 Please identify the property and money which you claim to be exempt from execution
2 by placing an "X" in each box that applies to your situation. The exemptions listed
3 below are the most commonly claimed exemptions.
4

5 There are other, less common, exemptions permitted by law. If any of these are
6 claimed by you, please identify them in the "other" section and identify the statutory
7 or other authority for the exemption.
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9
10 I claim the following exemptions from execution:

11 Private libraries, works of art, musical instruments and jewelry, not to exceed \$5,000 in
12 value, belonging to me or my dependent, to be selected by me, and all family pictures and
13 keepsakes. NRS 21.090 (1)(a).

14 Necessary household goods, furnishings, electronics, wearing apparel, other personal effects
15 and yard equipment, not to exceed \$12,000 in value, belonging to me or my dependent, to be
16 selected by me. NRS 21.090(1)(b).

17 Farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed
18 \$4,500 in value, belonging to me and to be selected by me. NRS 21.090(1)(c).

19 Professional libraries, equipment, supplies, and the tools, inventory, instruments, and
20 materials used to carry on my trade or business for my support and my family's, not to exceed
21 \$10,000 in value. NRS 21.090(1)(d).

22 The cabin or dwelling of a miner or prospector, the miner's or prospector's cars implements
23 and appliances necessary for carrying on any mining operations and the mining claim actually
24 worked by the miner or prospector, not exceeding \$4,500 in total value. NRS 21.090(1)(e).

25 One vehicle with an equity of less than \$15,000. The creditor must be paid an amount equal
26 to any excess above \$15,000. NRS 21.090(1)(f).
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1 Any vehicle owned by me for my use or the use of my dependent that is equipped or
2 modified to provide mobility for a person with a permanent disability. NRS 21.090(1)(p).

3 For any work week, 82 percent of my disposable earnings (gross earnings less amounts
4 required by law to be withheld) if my salary is \$770 or less. For any work week, 75 percent of
5 my disposable earnings if my salary exceeds \$770 or 50 times the federal minimum wage,
6 whichever is greater. See NRS 21.090(1)(g) for greater detail.

7 All fire engines, hooks and ladders, with the carts, trucks and carriages, hose, buckets,
8 implements and apparatus thereunto appertaining, and all furniture and uniforms of any fire
9 company or department organized under Nevada law. NRS 21.090(1)(h).

10 All arms, uniforms and accouterments required by law to be kept by any person, and also
11 one gun, to be selected by me. NRS 21.090(1)(i).

12 Most real and personal property belonging to any county, town, fire department, military
13 organization or school district, as more fully described at NRS 21.090(1)(j).

14 All money, benefits, privileges or immunities accruing or in any manner growing out of any
15 life insurance. NRS 21.090(1)(k).

16 A homestead as provided by law of up to \$605,000 of equity in my home or in the proceeds
17 of the sale of my home, as more fully described at NRS 21.090(1)(l) and (m).

18 My primary dwelling, land and appurtenances are exempt from execution upon a judgment
19 for any medical bill, as more fully described at NRS 21.095.

20 All money that I reasonably deposited with my landlord to rent or lease a dwelling that is
21 used as my primary residence, except the money is not exempt from the landlord's enforcement
22 of the terms of the rental agreement or lease. NRS 21.090(1)(n).

23 All of my property in Nevada is exempt from another state's judgment against me for failure
24 to pay income tax on benefits received from a pension or other retirement program. NRS
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28 21.090(1)(o).

1 Any prosthesis or equipment prescribed by a physician or dentist for me or my dependent.
2 NRS 21.090(1)(q).

3 Money, not to exceed \$1,000,000 in present value held in a retirement plan which conforms
4 with or is maintained pursuant to applicable limitations and requirements of the Internal
5 Revenue Code, including, but not limited to, an IRA, 401k, 403b, tuition program, or other
6 qualified stock bonus, pension, or profit-sharing plan, as more fully described at NRS
7 21.090(1)(r).

8 All money and other benefits paid pursuant to a court order for the support, education and
9 maintenance of a child, whether collected by me or the State. NRS 21.090(1)(s).

10 All money and other benefits paid pursuant to a court order for the support and maintenance
11 of a former spouse, including the amount of any arrearages to which the former spouse may be
12 entitled. NRS 21.090(1)(t).

13 Payments, in an amount not to exceed \$16,150, received as compensation for personal
14 injury, not including compensation for pain and suffering or actual pecuniary loss, by me or by a
15 person upon whom I am dependent at the time the payment is received. NRS 21.090(1)(u).

16 Payments received as compensation for the wrongful death of a person upon whom I was
17 dependent at the time of the wrongful death, to the extent reasonably necessary for the support
18 of myself or any dependent of mine. NRS 21.090(1)(v).

19 Payments received as compensation for loss of my future earnings, or of a person upon
20 whom I am dependent at the time the payment is received, to the extent reasonably necessary for
21 the support of myself or any dependent of mine. NRS 21.090(1)(w).

22 Payments received as restitution for a criminal act. NRS 21.090(1)(x).

23 Payments received pursuant to the federal Social Security Act, including, without limitation,
24 retirement and survivors' benefits, supplemental security income benefits and disability
25 insurance benefits. NRS 21.090(1)(y) and 42 U.S.C. § 407(a).
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1 Any personal property of mine which is not otherwise exempt, including, without limitation,
2 my equity in any property money, stocks, bonds or other funds on deposit with a financial
3 institution, not to exceed \$10,000 in total value, to be selected by me. NRS 21.090(1)(z).

4 Any tax refund received by me that is derived from the earned income credit described in
5 section 32 of the Internal Revenue Code, 26 U.S.C. section 32, or a similar credit provided
6 pursuant to a state law. NRS 21.090(1)(aa).

7 Stock of a corporation described in subsection 2 of NRS 78.746 except as set forth in that
8 section. NRS 21.090(1)(bb).

9 Certain distribution interests and powers created by a trust, as more fully described at NRS
10 21.090(1)(cc).

11 A distribution interest in a spendthrift trust, as more fully described at NRS 21.090(1)(dd).

12 Proceeds received from a private disability insurance program. NRS 21.090(1)(ee).

13 Money in a trust fund for funeral or burial services pursuant to NRS 689.700. NRS
14 21.090(1)(ff).

15 Compensation that was payable or paid pursuant to chapters 616A to 616D, inclusive, or
16 chapter 617 of NRS, as provided in NRS 616C.205. NRS 21.090(1)(gg).

17 Unemployment compensation benefits received pursuant to NRS 612.710. NRS
18 21.090(1)(hh).

19 Benefits of refunds payable or paid from the Public Employees' Retirement System pursuant
20 to NRS 286.670. NRS 21.090(1)(ii).

21 Money paid or rights existing for vocational rehabilitation pursuant to NRS 615.270. NRS
22 21.090(1)(jj).

23 Public assistance provided through the Department of Health and Human Services pursuant
24 to NRS 422.291 and 422A.325. NRS 21.090(1)(kk).

25 Child welfare assistance provided pursuant to NRS 432.036. NRS 21.090(1)(ll).

1 Certain collections of minerals, art curiosities and paleontological remains, as more fully
2 described at NRS 21.100.

3 Money or payments received as veteran's benefits. 38 U.S.C. § 5301

4 Money or payments received as retirement benefits under the federal Civil Service
5 Retirement System (CSRS) or Federal Employees Retirement System (FERS). 5 U.S.C. § 8346.

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7 Other: _____
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10 **AUTOMATIC BANK ACCOUNT EXEMPTIONS**

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Some direct-deposit funds are automatically protected and should not be taken from
13 your bank account. If automatically protected money was taken from your bank
14 account, check the appropriate box below and attach proof of direct-deposit benefits.

15 All exempt federal benefits that were electronically deposited into my account during the
16 prior two months are protected, and I am, therefore, entitled to full and customary access to
17 that protected amount. (31 C.F.R. part 212.6(a)). Money in my personal bank account that
18 exceeds that amount may be subject to the exemptions stated above.

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20 A writ of execution or garnishment was levied on my personal bank account and I claim
21 exemption for up to \$2,000 because within the 45 days before the writ was served money
22 reasonably identifiable as exempt from execution was electronically deposited into the
23 account, as described in greater detail at NRS 21.105(1).

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25 A writ of execution or garnishment was levied on my personal bank account and I claim
26 exemption for up to \$400, unless the writ is for the recovery of money owed for the support
27 of any person. NRS 21.105(2).
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1 This document does not contain the personal information of any person as defined by NRS
2 603A.040.

3 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
4 and correct.

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6 Date: _____

Your Signature: _____

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8 Print Your Name: _____
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