

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT

Mark C. McCartt
Clerk of Court

Northern District of Oklahoma
411 UNITED STATES COURTHOUSE
333 West Fourth Street
Tulsa, Oklahoma 74103-3819

Telephone (918) 699-4700
Fax (918) 699-4756

WRITS OF EXECUTION

This is not a legal interpretation of the rules and regulations on writs of execution.

We refer you to the Federal Rules of Civil Procedures for specifics.

In the Northern District of Oklahoma, once a judgment is on file, the suggested procedure to apply for writs of execution is:

1. If the judgment is rendered in the Northern District of Oklahoma and you request the Court in the Northern District of Oklahoma to issue the writ of execution, there will not be a charge.
2. Please submit a motion, if appropriate (e.g. Federal Party) and a proposed writ of execution form to the Court. A sample writ, with instructions, is attached as Exhibit A and should be completed prior to submission to the Court for issuance.
3. If the U.S. Marshal is to seize a specific piece of property such as livestock, cars, machinery, inventory, bank accounts, etc., you must put specific information into the Special Instructions section on the USM 285 form (Exhibit B attached). You must also be prepared to accompany the U.S. Marshal when the property is to be seized.
4. If the U.S. Marshal serves the writ of execution, there will be a charge for service, mileage, mailing, storage, moving and miscellaneous expenses where applicable.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

WRIT OF EXECUTION

To the Marshal of:

YOU ARE HEREBY COMMANDED, that of the goods and chattels, lands and tenements in your district belonging to:

you cause to be made and levied as well as a certain debt of \$ _____ in the United States District Court for the Northern District of Oklahoma, before the Judge of said Court by the consideration of the same Judge lately recovered against the said,

and also the cost that may accrue under this writ. And that you have above listed moneys at the place and date listed below, and that you bring this writ with you.

Place:	
City:	Date:

Date:	Mark C. McCartt, Clerk of Court
By:	Deputy Clerk

RETURN

Date Received:	Date of Execution of Writ:
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This writ was received and executed.

U.S Marshal	By:	Deputy Marshal
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INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES.

Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Se c. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ served.) Failure to provide any of the copies will delay service of writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No.5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal.

(Note: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.)

Additional supplies of the USM-285 may be obtained from the Clerk of Courts of the U.S. District Court or the U.S. Marshal, without cost.

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only for USM 285 if more than one USM 285 is submitted)</i>	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	_____	No. _____	No. _____	_____	_____

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (*See remarks below*)

Name and title of individual served (<i>if not shown above</i>)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (<i>complete only different than shown above</i>)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
Signature of U.S. Marshal or Deputy		

Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

- DISTRIBUTE TO:**
1. CLERK OF THE COURT
 2. USMS RECORD
 3. NOTICE OF SERVICE
 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
 5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED