

CAUSE NO. _____

IN THE MATTER OF

§

IN THE JUSTICE COURT

§

§

APPLICANT

§

PRECINCT _____

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§

_____ COUNTY, TEXAS

WRIT OF RETRIEVAL

THE STATE OF TEXAS

The court **FINDS** the following:

- Applicant has made their Application for a Writ of Retrieval regarding the following location (“Residence”): _____
_____;
- Applicant has posted an acceptable bond with the court in such form and amount as approved by the Judge in this matter;
- Occupant of the Residence _____ has denied Applicant access to the Residence to retrieve Applicant’s personal property or the personal property of Applicant’s dependent(s);
- Applicant is not the subject of an active protective order under Family Code Title 4, a magistrate’s order for emergency protection under Code of Criminal Procedure Article 17.292, or another court order prohibiting entry to the residence or otherwise prohibited by law from entering into the Residence;
- Applicant and the current Occupant are not parties to a pending divorce or annulment case under Title 1, Family Code;
- Applicant’s right to possession of the items described in the application is not subject to a decree of divorce or annulment to which Applicant and the current Occupant are parties.
- There is risk of personal harm to Applicant or Applicant’s dependent(s) if the items listed in the Application are not retrieved promptly;
- Applicant is currently or was formerly authorized to occupy the Residence according to a lease or other documentary evidence acceptable to the court; and

- Occupant received notice of the Application and was provided an opportunity to appear before the court to contest the Application.

THEREFORE, IT IS ORDERED that a Writ of Retrieval is hereby **GRANTED** for the following items of personal property, eligible for a Writ of Retrieval under Property Code Sec. 24A.002(b)(4):

IT IS FURTHER ORDERED that a constable or sheriff or their deputy or permanent reserve deputy holding a permanent peace officer license shall accompany and assist Applicant in making the authorized entry into the Residence and retrieving items of personal property as specifically listed by Applicant in the Application and approved by this court.

IT IS FURTHER ORDERED that Applicant shall submit all property retrieved from the Residence to the peace officer to be inventoried by the officer. The officer shall provide a copy of the inventory to the applicant, a copy to the occupant or if the occupant is not present, leave the copy in a conspicuous place in the residence, and shall file the original inventory with this court.

ISSUED AND SIGNED on _____, 20____.

JUSTICE OF THE PEACE, PRECINCT _____
_____ COUNTY, TEXAS

RETURN

This Writ **CAME TO HAND** on _____, 20____, at _____ .m. and was **EXECUTED** in _____ County, Texas on _____, 20____, at _____ .m. by taking _____ to the address listed in the writ to retrieve the listed items. Prior to allowing the property to be removed, I created an inventory of the items removed, provided a copy to Applicant, Occupant, and have attached a third copy to this return.

The distance actually traveled by me in the execution of this process was ____ miles and my fees are _____.

Officer's Name and Title

Officer's Signature