

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
Civil Division

:
Plaintiff
VS : NO.
Defendant :

PRAECIPE FOR WRIT OF POSSESSION UPON A CONFESSED JUDGMENT

To the Prothonotary:

Issue a writ of possession upon the judgment in ejectment entered by confession in the above matter.

CERTIFICATION

I certify that:

(1) This Praecipe is based upon a judgment entered by confession, and

(Delete three of the following paragraphs which are inapplicable)

- (2) Notice has been served pursuant to Rule 2973.2 at least thirty days prior to the filing of this praecipe as evidenced by a return of service filed of record.
- (3) Notice pursuant to Rule 2973.3 will be served with the writ of possession.
- (4) Notice was served in connection with a prior execution on this judgment and, pursuant to Rule 2973.4(b), no further notice is required.
- (5) Notice is not required under rule 2973.1(c) because a petition to open or strike the judgment was previously filed.

Attorney for plaintiff

Address

Phone Number

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
Civil Division

VS

Plaintiff

:

:

NO.

Defendant

:

WRIT OF POSSESSION

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF MONTGOMERY

TO THE SHERIFF OF _____ COUNTY, PA.

(1) To satisfy the judgment for possession in the above matter, you are directed to deliver possession of the following described property to:

Being: (Specifically describe property):

(2) To satisfy the costs against the defendant(s), you are directed to levy upon any property of the defendant(s) and sell his/her (or their) interest therein.

COSTS:

Prothonotary: \$ _____

Sheriff: \$ _____

Noah Marlier, Prothonotary

By: _____
Agent/Deputy

Seal

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

Civil Division

:

VS

Plaintiff

:

NO.

Defendant

:

**NOTICE UNDER RULE 2973.2
OF JUDGMENT AND EXECUTION**

Notice of Defendant's Rights

To: _____, Defendant(s)

A judgment for possession of real property has been entered against you and in favor of the plaintiff without any prior notice of hearing based on a confession of judgment contained in a promissory note or other paper allegedly executed by you. The sheriff may remove you from the property at any time after thirty days after the date on which this notice is served on you.

You may have legal rights to defeat the judgment or to prevent your being removed from the property. ANY PETITION SEEKING RELIEF FROM THE JUDGMENT MUST BE FILED WITHIN THIRTY (30) DAYS AFTER THE DATE ON WHICH THIS NOTICE IS SERVED ON YOU OR YOU MAY LOSE YOUR RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT THE AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE

100 West Airy St
Norristown, PA 19401
(610) 279-9660

Attorney for plaintiff

Address

Phone Number

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

Civil Division

:

VS

Plaintiff

:

NO.

Defendant

:

NOTICE UNDER RULE 2973.3 OF JUDGMENT AND EXECUTION THEREON

Notice of Defendant's Rights

To: _____, Defendant(s)

A judgment for possession of real property has been entered against you and in favor of the plaintiff without any prior notice or hearing based on a confession of judgment contained in a promissory note or other document allegedly executed by you. The court has issued and the sheriff has served a writ of possession which directs the sheriff to remove you from possession of the real property.

You may have legal rights to defeat the judgment or to prevent your being removed from the real property or to regain possession of the property if you have been removed, if you did not voluntarily, intelligently and knowingly give up your constitutional right to notice and hearing prior to the entry of judgment or if you have defenses or other valid objections to the judgment. ANY PETITION SEEKING RELIEF FROM THE JUDGMENT AND TO REGAIN POSSESSION MUST BE FILED WITHIN THIRTY (30) DAYS AFTER THE DATE ON WHICH NOTICE IS SERVED ON YOU OR YOU MAY LOSE YOUR RIGHTS.

If you have been removed from the property without notice or the opportunity for a hearing, you have a right to a prompt court hearing if you claim that you did not voluntarily, intelligently and knowingly give up your rights to notice and hearing prior to the entry of judgment. If you wish to exercise this right, you must immediately fill out and sign the request for hearing which accompanies the writ of possession and deliver it to the Sheriff of _____ County at: _____

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT THE AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
100 West Airy St
Norristown, PA 19401
(610) 279-9660

Attorney for plaintiff

Address

Phone Number

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

Civil Division

:

VS

Plaintiff

:

NO.

Defendant

:

PETITION TO STRIKE JUDGMENT

REQUEST FOR PROMPT HEARING

I hereby certify that I did not voluntarily, intelligently and knowingly give up my rights to notice and hearing prior to entry of judgment. I petition the court to strike the judgment on this ground and request a prompt hearing on this issue.

I verify that the statements made in this Request for Hearing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S 4904 relating to unsworn falsification to authorities.

Notice of the hearing should be give to me at:

(Street Address)

(City, State)

(Phone)

Dated: _____

Defendant(s): _____