Instructions: Writ of Execution

The procedure on execution must accord with the procedure of the state where the Court is located, but federal statute governs to the extent it applies [F.R.C.P. 69(a)(1)]. See *Notes to Subdivision (a)* of F.R.C.P. 69 for a list of Federal Statutes governing under this rule. See also TEX. CIV. PRAC. & REM. CODE § 34.

A. Enter the Civil Action Number of the case in which Judgment was entered. The Case number may be entered in two forms:
(1) [Division]:[Year]-cv-[Action Number]
       (ex. 4:12-cv-8000)
         (or)
(2) [Division]-[Year]-[Action Number]
       (ex. H-12-8000).

B. Enter the Division in which the case was filed. The Divisional Offices of the Southern District of Texas are listed here by divisional code and city-name:
      (1) B - Brownsville
      (2) C - Corpus Christi
      (3) G - Galveston
      (4) H - Houston
      (5) L - Laredo
      (6) M - McAllen
      (7) V - Victoria

C. Enter the first-named-plaintiff. If there are multiple plaintiffs, list the first named plaintiff followed by ",et al".

D. Enter the first-named-defendant. If there are multiple defendants, list the first-named-plaintiff followed by ",et al".

E. Enter the name of the party awarded the money judgment. **This information must match the judgment exactly.**

F. Enter the **exact** amount of the money judgment awarded.

G. Enter the **exact** amount of the costs awarded.

H. Enter the date of entry of judgment on the docket. **NOTE**: **this date may be later than the date the judgment was signed.**

11/28/2011	35	DEFAULT JUDGMENT against Party Y, Party Z in total amount $100,000 plus attorney's fees and costs and interest at 0.11% per annum until paid; granting 34 MOTION for Default Judgment against Party Y, Party Z. (Signed by Judge) Parties notified. (Entered: 11/30/2011)

I. If applicable, enter the rate of interest as indicated in the Judgment.

    If not indicated in the Judgment:

       Interest on any money judgment in a civil case recovered in district court is calculated from the date of entry of judgment, at a rate equal to the weekly average 1-year constant maturity Treasury Yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment [28 USC § 1961]. Please see 28 USC § 1961(b) & (c) for exceptions and further considerations necessary for the correct application and calculation of the rate of interest specified. See also 40 USC § 3114-3118 for calculation of interest on compensation arising from the purchase of land or any interest in land by the Federal Government.

J. Enter the name of the party against whom judgment was entered. **This information must match the judgment exactly.**

UNITED STATES DISTRICT COURT   SOUTHERN DISTRICT OF TEXAS

WRIT OF EXECUTION

To the UNITED STATES MARSHAL for the Southern District of Texas:

In Civil Action Number   **A.**

In this Division   **B.**

Which was styled:

C.

-versus-

D.

This judgment creditor:

E.

Recovered a judgment of $ **F.**

Plus costs of $ **G.**

Which judgment was entered on **H.**

And bears interest at % **I.**

From this judgment debtor:

J.

You are commanded to take of the goods, land and chooses-in-action of the judgment debtor enough to pay the judgment in full and the cost of this writ. Fail not, and return this writ, certifying how you executed it.

United States District Court
Southern District of Texas

CLERK OF COURT

By: _____

                Deputy Clerk

Date Issued: _____