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In Proper Person

**IN THE JUSTICE COURT OF _____ TOWNSHIP
IN AND FOR THE COUNTY OF _____, STATE OF NEVADA**

_____,)
Plaintiff,)
vs.)
_____,)
Defendant.)
_____)

Case No.:

Dept. No.

AFFIDAVIT CLAIMING EXEMPTION FROM EXECUTION

I, _____, being duly sworn according to law, depose and say that:

I am the Defendant in the above-entitled action and have received a Notice of Execution regarding an attachment or garnishment of my wages, money, benefits, and/or property. These wages, money, benefits, and/or property are exempt from execution for the following reason(s):

(Initial all that apply)

____ Money or payments received pursuant to the Social Security Act including, without limitation, retirement and survivor's benefits, supplemental security income benefits and disability insurance benefits. NRS 21.090(1)(y) and 42 U.S.C. § 407(a).

____ Money or payments for assistance received from the Division of Welfare and Supportive Services of the State of Nevada. NRS 422.291 and 422A.325.

____ Money or payments received as Unemployment insurance benefits. NRS 612.710.

____ Money or compensation payable or paid under NRS Chapter 616A and 616D (worker's compensation/industrial insurance). NRS 6161C.205.

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_____ Money or payments received as Veteran’s Benefits. 38 U.S.C. § 5301.

_____ Money or payments received as retirements benefits under the Civil Service Retirement System (CSRS) or Federal Employee Retirement System (FERS). 5 U.S.C. § 8346.

_____ Seventy-five percent (75%) of my disposable earnings are exempt. “Disposable earnings” are defined as those earnings remaining “after the deduction...of any amounts required by law to be withheld.” NRS 21.090(g)(1). These “amounts required by law to be withheld” are federal income tax, Medicare, and Social Security taxes;

Check here if your disposable weekly earnings do not exceed \$327.50 or 50 times the federal minimum wage (50 x _____ = _____), in which case ALL of your disposable earnings are exempt. NRS 21.090(1)(g).

Non-exempt income cannot exceed 25% of your weekly disposable earnings under NRS 31.295. Check here if your disposable weekly earnings are between \$327.50 and \$436.65. In this case, your exempt income is always \$327.50 and your non-exempt income is your disposable earnings minus \$327.50. Put the amount of your non-exempt income here: _____.

_____ Money or payments received pursuant to a court order for child support or alimony, including any arrearage NRS 21.090(1)(s) and 21.090(1)(t).

_____ Money derived from the federal Earned Income Tax Credit (EITC) or similar Nevada program. NRS 21.090(1)(aa).

_____ \$1,000.00 or less of my money or other personal property, including, without limitation, the judgment debtor’s equity in any property, money, stocks, bonds or other funds on deposit with a financial institution, which is not otherwise exempt under NRS 21.090. NRS 21.090(1)(z).

_____ Money, \$500.00 or less, held in a retirement plan in accordance with Internal Revenue Codes, including, but not limited to, an IRA, 401K, 403b, or other qualified stock bonus, pension, or profit-sharing plan. NRS 21.090(1)(r).

1 _____ All money, payments, or benefits derived in any way from a life insurance policy, if the
2 annual premium does not exceed \$15,000.00. If the premium exceeds that amount, a
3 similar exemption exists which bears the same proportion to the money, benefits,
4 privileges, and immunities so accruing or growing out of the insurance that the
5 \$15,000.00 bears to the whole annual premium paid. NRS 21.090(1)(k).

6 _____ Money or payments received pursuant to NRS Chapter 286 (The Public Employees
7 Retirement Act). NRS 286.670;

8 _____ A homestead filed pursuant to NRS 115.010 in a dwelling (house, condominium,
9 townhome, and land) or mobile home where my equity does not exceed \$550,000. NRS
10 21.090(1)(l) and NRS 115.010.

11 _____ My dwelling house and land where the amount of my equity does not exceed \$550,000.
12 NRS 21.090(1)(m).

13 Check here if the debt is based on a medical bill. Your primary dwelling and
14 land, including a mobile or manufactured home, is exempt from execution
15 regardless of the equity. NRS 21.095.

16 _____ My vehicle, where the amount of equity in my vehicle does not exceed \$15,000 or I will
17 pay the judgment creditor any amount over \$15,000 in equity. NRS 21.090(1)(f).

18 Check here if your vehicle is specially equipped or modified to provide mobility
19 for you or your dependent and either you or your dependent has a permanent
20 disability. Your vehicle is exempt regardless of the equity. NRS 21.090(1)(p).

21 _____ A prosthesis or any equipment prescribed by a physician or dentist for me or my
22 dependent. NRS 21.090(1)(q).

23 _____ My private library, works of art, musical instruments, jewelry, or keepsakes belonging to
24 me or my dependent, chosen by me and not to exceed \$5,000.00 in value. NRS
25 21.090(1)(a).
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1 _____ My necessary household goods, furnishings, electronics, clothes, personal effects, or yard
2 equipment, belonging to me or my dependent, chosen by me and not to exceed
3 \$12,000.00 in value. NRS 21.090(1)(b).

4
5 _____ WHEREFORE, it is requested that the Court order my earnings exempt OR
6 _____ WHEREFORE, it is requested that these wages, bank account(s), benefits,
7 other accounts/funds, personal or real property be returned or released to me within 5
8 days of receipt of this Affidavit in accordance with NRS 21.112.

9
10 DATED this _____ day of _____, _____.

11
12 _____
13 Defendant, Pro Se

14
15 VERIFICATION OF DEFENDANT

16
17 STATE OF NEVADA)
18) ss
19 COUNTY OF _____)

20 **Pursuant to NRS 53.045:** "I declare under the penalty of perjury under the law of the State of
21 Nevada that the foregoing is true and correct."

22 Executed on this _____ th day of _____, _____.

23 _____
24 Signature

25 _____
26 Printed Name

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CERTIFICATE OF MAILING

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The undersigned certifies that on the ____ day of _____, _____,
I deposited in the United States mail, a copy of the Affidavit Claiming Exemption From
Execution, enclosed in a sealed envelope, upon which first class postage was fully prepaid,
addressed to the Plaintiff/Judgment Creditor and Sheriff as follows:

Plaintiff/Judgment Creditor

And

Sheriff

DATED this _____ day of _____, _____

Signature