

**HENDRICKS SUPERIOR COURTS
COURTHOUSE
DANVILLE, IN 46122
(CLERK) 317-745-9231**

**FORMS & INSTRUCTIONS
FOR PLAINTIFF (LANDLORD)
WRIT OF ASSISTANCE AND ORDER THEREON**

FORMS:

FORM 1 PLAINTIFF'S MOTION FOR WRIT OF ASSISTANCE

FORM 2 ORDER AND WRIT OF ASSISTANCE

INSTRUCTIONS: FORM 1 and FORM 2

LANDLORD MAY COMPLETE AND FILE THIS WITH THE COURT IF THEY HAVE
BEEN **GRANTED POSSESSION** BY THE COURT AND THE TENANT HAS **NOT**
VACATED THE PROPERTY.

STATE OF INDIANA)
)
COUNTY OF HENDRICKS)

IN THE HENDRICKS SUPERIOR COURT ____
CAUSE NO. _____

Plaintiff

VS

Defendant(s)

PLAINTIFF'S MOTION FOR WRIT OF ASSISTANCE

Plaintiff, moves the Court for a Writ of Assistance in order to enforce this Court's order for prejudgment possession. In support of this motion is the following:

1. Plaintiff filed its Eviction Notice of Claim in this action for possession against Defendant.
2. On _____ day of _____, 20 ____, this Court granted a request by Plaintiff for a bond and prejudgment order of possession.
3. The property is still occupied by the Defendant(s) and the personal property has not been removed.
4. Plaintiff is in need of a Writ of Assistance so that Plaintiff can remove Defendant(s) and their personal property with the assistance of the Hendricks County Sheriff or a law enforcement officer.

WHEREFORE, Plaintiff requests that the Court grant a writ of assistance to remove the Defendant(s) and/or personal property from the real estate at issue and for all other appropriate relief.

Respectfully submitted,

Plaintiff's Signature

STATE OF INDIANA)
)
COUNTY OF HENDRICKS)

IN THE HENDRICKS SUPERIOR COURT ____
CAUSE NO. _____

Plaintiff

VS

Defendant(s)

**Sheriff Please Serve Individual(s)
At Subject Address Of:**

ORDER AND WRIT OF ASSISTANCE

This cause comes before the Court upon Plaintiff's Motion for Writ of Assistance, and the Court, having read said motion and being duly advised in the premises, now finds that the Plaintiff's motion should be **GRANTED**.

THE COURT FINDS AND ORDERS that the prejudgment order of possession should be enforced by direct intervention of the Hendricks County Sheriff or any other law enforcement agency by way of Writ of Assistance.

THE COURT ORDERS the Defendant(s), and all occupants, each of them to immediately vacate the premises, namely: _____

_____. The Defendant(s), and all occupants, and each of them is ordered **IMMEDIATELY** to remove themselves, friends, relatives and all personal property from the premises upon receipt of this order.

IT IS FURTHER ORDERED that the Hendricks County Sheriff or any other law enforcement agency is to serve and effectuate the implementation of the Court's order by way of Writ of Assistance by taking the property namely: _____
_____ from the Defendant(s), and all occupants and each of them, and immediately surrender said property to Plaintiff(s). The Sheriff or other law enforcement agency is hereby authorized to take any action reasonably necessary to enforce this Order including entering the premises and if necessary breaking and entering the premises or

attachments thereto as necessary to enforce this Order. The Sheriff or other law enforcement agency is hereby authorized to assist with the removal of all personal property in the premises and have it moved to a warehouseman for storage. This Order and Writ of Assistance shall be executed upon immediately by the Sheriff of Hendricks County or other law enforcement agency with costs to be assessed against the Defendant(s).

DEFENDANT(S) ARE FURTHER NOTIFIED that a hearing for the trial on the merits is set for _____. **If Defendant(s) fail to appear a judgment may be taken in their absence.**

A copy of this Order shall serve in all respects as the original of this Order.

ALL ORDERED THIS _____ DAY OF _____, 20 ____.

JUDGE, HENDRICKS SUPERIOR COURT _____

DISTRIBUTION TO:
HENDRICKS COUNTY SHERIFF

PLAINTIFF/ATTORNEY
DEFENDANT/ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Writ of Assistance has been served upon Defendants by United States mail, first class and postage prepaid, on the date of filing the same.

Plaintiff's Signature

Plaintiff's Name & Address:

Telephone No. () _____