

Cherokee Nation Code Annotated
Title 41: Landlord and Tenant
Chapter 4: Landlord and Tenant Procedures Act
§ 1782. Writ of execution—Form
Cite as: 41 CNCA § 1782

If judgment be for plaintiff, the Court shall, at the request of the plaintiff, his agent or attorney, issue a writ of execution thereon, which shall be in substantially the following form:

Cherokee Nation to Marshal of Cherokee Nation:

Whereas, in a certain action for the forcible entry and detention (or for the forcible detention as the case may be) of the following described premises, to wit ____ lately tried before me, wherein ____ was the plaintiff, and ____ was the defendant, judgment was rendered on the ____ day of ____, 20 ____, that the plaintiff have restitution of said premises; and also that he recover rent in the sum of ____; you, therefore, are hereby commanded to cause the defendant to be forthwith removed from said premises and the said plaintiff to have restitution of the same; also that you levy on the goods and chattels of the said defendant, and make legal service and due return.

Witness my hand this ____ day of ____, 20 ____

A.B., Judge

A motion for a new trial may be filed only within three (3) days of judgment but shall not operate to stay execution.

Historical Data

LA 17-91, eff. December 14, 1991.