

WRIT OF RETRIEVAL OF PROPERTY

STATUTE: Texas Property Code, Section 24A.002(e)

VENUE: You MUST live in Tarrant County and file in the precinct which you reside.

****IF AN EPO EXISTS AND YOU NEED YOUR ITEMS, YOU MUST GO TO A COURT THAT HAS INJUNCTIVE RELIEF**** and

****IF APPLICANT AND OCCUPANT ARE PARTIES TO A PENDING OR FINALIZED DIVORCE OR ANNULMENT THAT COVERS THE PROPERTY BEING SOUGHT, YOU MUST GO TO THE COURT THAT HAS JURISDICTION****

DESCRIPTION: Person not being permitted into their current residence or former residence by another occupant and needs to retrieve their, and/or their minor dependent's personal property and may petition the court to allow a peace officer to accompany them to retrieve the items. If the applicant and occupant are parties to a pending divorce or annulment case or to a completed divorce decree or annulment that covers the property being sought, the application must be filed in the court that has jurisdiction over that case. ***Only specific items can be requested in the Writ of Retrieval:**

- a. Medical records
- b. Medicine and medical supplies
- c. Clothing
- d. Child care items
- e. Legal or Financial documents
- f. Checks, bank, credit cards in the name of the applicant
- g. Employment records
- h. Personal identification documents
- i. Assistance or service animals used by the applicant or their dependent
- j. Wireless communication devices belonging to the applicant or their dependent
- k. Tools, equipment, books, and apparatus used by the applicant in their trade or profession

BOND REQUIRED W/APPLICATION: Bond is set by the Judge and MUST be filed with your petition. You may file a Surety bond or Cash bond.

Fees: Filing fee is \$121.00 (\$46.00 + \$75.00)
Writ Fee is \$155.00 (if your petition is approved at the hearing)
Total: \$276.00

Once you file your petition, a notice to appear will be served to the defendant. This will notify them to appear at a hearing which will take place in front of the Judge. If your request is granted at the hearing, a Writ of Retrieval will be issued to the Constable's office instructing him to accompany you to the property to retrieve your items. Please understand, only the items listed above can be retrieved. You will not be allowed to take other items not listed on the order. The officer will inventory the items being removed.

The defendant has 10 days to file complaint and request a hearing if property is wrongfully taken.