

File No.

Film No.

**STATE OF NORTH CAROLINA**

In The General Court Of Justice  
District Court Division-Small Claims

County

**JUDGMENT  
IN ACTION ON POSSESSORY  
LIEN ON MOTOR VEHICLE**

G.S. 44A-4

Name And Address Of Plaintiff

County

Telephone No.

**VERSUS**

Name And Address Of First Defendant

County

Telephone No.

Name And Address Of Second Defendant

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

**FINDINGS**

The Court finds that:

- 1. the plaintiff has failed to prove the case by the greater weight of the evidence.
- 2. the plaintiff  repairs, services, tows or stores motor vehicles in the ordinary course of business whose property the vehicle listed was abandoned and the plaintiff came into possession of the motor vehicle on the date shown below, is still in possession, and has a valid enforceable lien against the motor vehicle for the amount indicated, plus storage at the rate below from the date of this Judgment until the lien is satisfied.
- 3. the defendant(s)  was  was not present at trial.
- 4. The lienor has given proper notice to the North Carolina Division of Motor Vehicles that a lien is asserted and sale is proposed for the vehicle.

Make/Year Of Vehicle

Repairs	\$
Towing	\$
Storage Cost to Date	\$
Vehicle Rental	\$
<b>Total Lien Claimed To Date</b>	<b>\$</b>

**ORDER**

It is ORDERED that:

- the plaintiff recover nothing of the defendant and that this action be dismissed with prejudice.
- the lien is valid and enforceable by sale and the Division of Motor Vehicles shall transfer title to the person who purchases at the sale upon proof that proper notice of sale has been given.

Judgment Announced And Signed In Open Court

Name Of Party Announcing Appeal In Open Court

Date

Signature Of Magistrate

Name And Address Of Plaintiff's Attorney

**CERTIFICATION**

**(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)**  
I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date

Signature Of Magistrate

File No.

# STATE OF NORTH CAROLINA

In The General Court Of Justice  
District Court Division-Small Claims

County \_\_\_\_\_

## COMPLAINT TO RECOVER MOTOR VEHICLE HELD FOR LIEN AND TO DETERMINE AMOUNT OF LIEN

G.S. 44A-4(a), 20-77(d)

Name And Address Of Plaintiff

Description Of Motor Vehicle

County

Telephone No.

**VERSUS**

Name And Address Of Defendant 1

County

Telephone No.

Name And Address Of Defendant 2

Date

Date

Signature Of Plaintiff Or Attorney

Name And Address Of Plaintiff's Attorney

Signature Of Person Authorized To Administer Oaths

County

Telephone No.

Deputy CSC     Assistant CSC     Clerk Of Superior Court

Date My Commission Expires

Notary

**SEAL**

The motor vehicle described below is located in the county named above. I am the owner of the motor vehicle or the person who took it to the defendant.

The defendant is holding the personal property described below because the defendant claims a lien as one  
 who repairs, services, tows or stores property.  
 who operates a business for garaging or parking motor vehicles for the public.  
 who is a landowner on whose property the motor vehicle was abandoned.

The defendant claims that the full amount I owe the defendant is as stated below. (Attach copy of bill, if available.) I dispute the amount claimed and state that I owe the amount specified below as the undisputed amount.

Amount Claimed As Lien By Defendant

Amount Undisputed By Plaintiff (amount I owe)

\$

\$

I demand recovery of the property listed above and request the Court to find that I owe the defendant only the amount undisputed by me.

### REQUEST FOR ORDER FOR IMMEDIATE POSSESSION

Pursuant to G.S. 44A-4(a), I deposit with the Clerk of Superior Court in cash the full amount claimed as lien by the defendant. I request the Clerk to issue an order to the defendant to relinquish possession of the property to me.

**SWORN AND SUBSCRIBED TO BEFORE ME**

**NOTICE TO DEFENDANT:** If the amount of lien the plaintiff stated you claimed is not the correct amount owed, you must within three working days after this Complaint was served on you, file with the Clerk of Superior Court, in the county named above, a statement of the amount actually owed to you. If you do not file such a statement, the amount stated by the plaintiff as your lien will be the amount the magistrate or judge will consider as the lien and you may not assert a larger lien at the trial.

**STATE OF NORTH CAROLINA**

File No.

In The General Court Of Justice  
District Court Division-Small Claims

\_\_\_\_\_ County

Name And Address Of Plaintiff

**VERSUS**

Name And Address Of Defendant

**ORDER  
FOR RELEASE OF MOTOR VEHICLE  
HELD FOR LIEN**

G.S. 44A-4(a)

**TO THE DEFENDANT NAMED ABOVE:**

A complaint has been filed alleging that you are holding the plaintiff's property described below for a lien for

- repairs, services, towing or storage..
- garaging or parking a motor vehicle.
- abandoning the motor vehicle on your property.

*(A copy of the complaint is attached.)*

The amount of lien the plaintiff states you claim is listed below and that amount has been deposited in cash with the undersigned Clerk of Superior Court. The amount the plaintiff agrees he/she owes you is stated below as the undisputed amount.

Amount Deposited With Clerk

\$

Amount Undisputed By Plaintiff

\$

**ORDER**

You are ORDERED to immediately relinquish to the plaintiff possession of the following motor vehicle:

You are entitled to come to the office of the Clerk of Superior Court at any time and have paid to you the amount undisputed by the plaintiff. The magistrate or judge will decide who is entitled to the remainder of the amount paid into court by the plaintiff at the trial of the lawsuit that has been filed.

Date

Signature

Assistant Clerk Of Superior Court

Clerk Of Superior Court

File No.

Film No.

# STATE OF NORTH CAROLINA

In The General Court Of Justice  
District Court Division-Small Claims

County \_\_\_\_\_

## JUDGMENT TO RECOVER PERSONAL PROPERTY HELD FOR LIEN AND TO DETERMINE AMOUNT OF LIEN

G.S. 44A-4(a)

Name And Address Of Plaintiff

County

Telephone No.

VERSUS

Name And Address Of Defendant 1

County

Telephone No.

Name And Address Of Defendant 2

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

### FINDINGS

The Court finds that:

- 1. the plaintiff has proved the case by the greater weight of the evidence.
- 2. the plaintiff has failed to prove the case by the greater weight of the evidence.
- 3. the defendant(s)  was  was not present at trial.
- 4. Other:

### ORDER

It is ORDERED that:

- 1. the plaintiff is entitled to possession of the personal property described in the complaint and the defendant is entitled to the amount listed below as his/her claim of lien for repairs, services, towing or storage of the property. The Clerk is directed to disburse to the defendant from the cash bond any portion of the amount awarded to the defendant that has not previously been disbursed to him/her and to return any remaining amount of the cash bond to the plaintiff.
- 2. the defendant is entitled to possession of the personal property described in the complaint and to assert a claim of lien for the amount specified below. The defendant is entitled to assert his/her lien pursuant to General Statutes Chapter 44A unless the plaintiff pays to the defendant the amount of the lien.
- 3. the plaintiff is entitled to possession of the personal property described in the complaint and the defendant is not entitled to a lien on the property. The Clerk is directed to disburse to the plaintiff any amount of the cash bond remaining.
- 4. this action be dismissed because the plaintiff failed to prosecute this action. The Clerk is directed to disburse to the defendant any amount of the cash bond remaining.

Amount Of Lien To Which Defendant Entitled

\$ \_\_\_\_\_

Judgment Announced And Signed In Open Court

Name Of Party Announcing Appeal In Open Court

Date

Signature Of Magistrate

Name And Address Of Plaintiff's Attorney

Telephone No.

### CERTIFICATION

**(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)**  
I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date

Signature Of Magistrate

File No.

# STATE OF NORTH CAROLINA

In The General Court Of Justice  
District Court Division-Small Claims

County \_\_\_\_\_

## COMPLAINT TO RECOVER MOTOR VEHICLE TO ENFORCE POSSESSORY LIEN AND TO ESTABLISH AMOUNT OF LIEN

G.S. 44A-6-1

Name And Address Of Plaintiff

Make/Year Of Vehicle

ID Number

Repairs

\$

Towing

\$

Storage Costs

\$

Vehicle Rental

\$

Total Amount Of  
Lien Claimed



\$

Telephone No.

County

### VERSUS

Name And Address Of First Defendant

Telephone No.

County

Name And Address Of Second Defendant

Date

Signature Of Plaintiff Or Attorney

### NOTICE TO DEFENDANT:

*If the amount of lien claimed by the plaintiff is not the amount owed, you must within three working days after this Complaint was served on you, file with the Clerk of Superior Court, in the county named above, a statement of the amount you believe is owed. If you do not file such a statement, the amount stated by the plaintiff is the amount the magistrate or judge must consider as the lien and you may not assert a smaller lien at the trial. If you wish to retain possession of the motor vehicle, you may pay the amount of the lien claimed by the plaintiff as a cash bond to the Clerk of Superior Court in the county named above.*

**STATE OF NORTH CAROLINA**

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
District Court Division-Small Claims

*Name Of Plaintiff*

**VERSUS**

*Name Of Defendant*

**BOND TO KEEP POSSESSION  
OF MOTOR VEHICLE  
TAKEN FROM LIENOR**

G.S. 44A-6.1

Pursuant to G.S. 44A-6.1, I deposit with the Clerk of Superior Court in cash the full amount claimed as lien by the plaintiff in the above case.

*Amount Of Deposit*

\$

*Name And Address Of Party Depositing Bond*

*Date*

*Signature Of Party Depositing Bond*

File No.

Film No.

# STATE OF NORTH CAROLINA

In The General Court Of Justice  
District Court Division-Small Claims

County \_\_\_\_\_

## JUDGMENT TO RECOVER POSSESSION OF MOTOR VEHICLE TO ENFORCE POSSESSORY LIEN AND TO ESTABLISH AMOUNT OF LIEN

G.S. 44A-6.1

Name And Address Of Plaintiff

County

Telephone No.

### VERSUS

Name And Address Of First Defendant

County

Telephone No.

Name And Address Of Second Defendant

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

### FINDINGS

The Court finds that:

- the plaintiff has proved the case by the greater weight of the evidence.
- the plaintiff has failed to prove the case by the greater weight of the evidence.
- the defendant(s)  was  was not present at trial.
- Other:

### ORDER

It is ORDERED that:

- the plaintiff is entitled to possession of the motor vehicle described in the complaint and is entitled to the amount listed below as the plaintiff's claim of lien for repairs, services, towing or storage of the vehicle. The Division of Motor Vehicles is ordered to transfer title to the person who purchases at the lien sale upon proof that proper notice of the sale has been given.
- since the defendant has deposited in cash the amount claimed as the lien, the plaintiff is not entitled to recover possession of the motor vehicle described in the complaint. The plaintiff is entitled to the amount listed below as the plaintiff's claim of lien for repairs, services, towing or storage of the vehicle. The Clerk is directed to disburse to the plaintiff any portion of the amount of lien listed below that has not previously been disbursed to the plaintiff and to return any remaining amount of the cash bond to defendant who posted it.
- this action be dismissed. The Clerk is directed to disburse any amount of the cash bond remaining to the defendant who posted it.

Amount Of Plaintiff's Lien

\$

Judgment Announced And Signed In Open Court

Name Of Party Announcing Appeal In Open Court

Date

Signature Of Magistrate

Name And Address Of Plaintiff's Attorney

### CERTIFICATION

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I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date

Signature Of Magistrate



North Carolina Department of Transportation
DIVISION OF MOTOR VEHICLES
LICENSE AND THEFT BUREAU



REPORT OF UNCLAIMED MOTOR VEHICLES

Date: \_\_\_\_\_

The motor vehicle described below has been unclaimed for 10 days and is hereby reported to the North Carolina Division of Motor Vehicles as required by law. (G.S. §20-77(d))

FRAUDULENT OR LATE FORMS MAY RESULT IN CRIMINAL PROSECUTION
INCOMPLETE FORMS WILL BE RETURNED TO SENDER FOR CORRECTION PRIOR TO PROCESSING
PLEASE PRINT OR TYPE FORM

Make \_\_\_\_\_ Year \_\_\_\_\_ Serial No. \_\_\_\_\_
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

Date vehicle left \_\_\_\_\_ (Vehicles 1981 and newer will have 17 digits / does not contains letters I, O or Q)

Lic. Plate No. \_\_\_\_\_ Year \_\_\_\_\_ State \_\_\_\_\_ County (if shown on License) \_\_\_\_\_

Body: TL [ ] 2-Door [ ] 4-Door [ ] SW [ ] MC [ ] TK [ ] Other [ ] Approximate value \$ \_\_\_\_\_

Vehicle left for: [ ] Parking [ ] Repairs [ ] Storage [ ] Other Explain \_\_\_\_\_

Location of vehicle (place stored) Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone No. ( ) \_\_\_\_\_

Name and address of the person authorizing your Firm to tow, store, and/or make repairs: (Required or explain)

Name or explanation \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Any evidence in vehicle to assist in locating owner or in tracing \_\_\_\_\_

Is vehicle in running condition? Yes [ ] No [ ] Wrecked? Yes [ ] No [ ]

Remarks \_\_\_\_\_

I \_\_\_\_\_ certify that the above information is true and correct.

Signature (Authorized Agent of Your Firm)

Printed Name

Your Firm's Name

Position or Title

Address

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_

Notary Public \_\_\_\_\_ My Commission expires the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Mail to: DMV License and Theft Bureau Notice & Storage Unit
3132 Mail Service Center
Raleigh, North Carolina 27699-3132
If you have questions, please call (919) 861-3187

(SEAL)





NORTH CAROLINA DIVISION OF MOTOR VEHICLES  
 LICENSE AND THEFT BUREAU



NOTICE OF INTENT TO SELL A VEHICLE TO SATISFY  
 STORAGE AND/OR MECHANIC'S LIEN

\*\*\* DO NOT COMPLETE UNLESS LT-260 "UNCLAIMED REPORT" HAS ALREADY BEEN FILED \*\*\*

Date: \_\_\_\_\_

<b>A.</b>	<b>DESCRIPTION OF VEHICLE:</b> <i>(must be fully completed)</i>			
	Make	Year	Body Style	License Plate Number
	Serial Number/VIN:			State & Year Last Registered
<b>B.</b>	<b>LOCATION OF VEHICLE:</b> <i>(must be fully completed)</i>			
	Place Stored			
	Address		City	State/Zip
<b>C.</b>	<b>DESCRIPTION OF LIEN as provided by N.C.G.S. § 44A-2:</b>			
	Lien for: <i>(Check appropriate space or spaces and specify amount)</i>			
	<input type="checkbox"/> Labor \$ _____	<input type="checkbox"/> Materials \$ _____	<input type="checkbox"/> Towing \$ _____	<input type="checkbox"/> Storage \$ _____
	<input type="checkbox"/> Other \$ _____ If "Other" checked, please describe amount and type of charges:			
	Furnish general listing of materials:			
<b>D.</b>	<b>DATE OF STORAGE:</b>			
<b>E.</b>	<b>NAME AND ADDRESS OF PERON AUTHORIZING REPAIRS, SERVICES, TOWING and/or STORAGE:</b>			
	Name: _____			
	Physical Address: _____			
	Mailing Address: (If different) _____			
	City: _____	State: _____	Zip: _____	
<b>F.</b>	<b>NAME AND ADDRESS OF LIENOR:</b> <i>(Person or Firm Proposing to Sell Vehicle)</i>			
	Name: _____			
	Address: _____		Phone: _____	
	City: _____	State: _____	Zip: _____	
	Signature: _____		Position: _____	

**LIENOR:** Make check or money order for TEN DOLLARS (\$10.00) payable to the NC DMV, attach to this form and mail to the NC DMV License & Theft Bureau, Notice Storage & Theft Unit, 3132 Mail Service Center, Raleigh NC 27699-3132. If additional information is needed, call (919) 861-3187.