File No.

STATE OF NORTH CAROLINA

_____ County

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

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

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

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.

Name And Address Of Plaintiff

County | *Telephone No.*

VERSUS

Name And Address Of Defendant 1

County | *Telephone No.*

Name And Address Of Defendant 2

County | *Telephone No.*

Name And Address Of Plaintiff's Attorney

Description Of Motor Vehicle

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 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

Date

Date

Signature Of Plaintiff Or Attorney

Signature Of Person Authorized To Administer Oaths

☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

Date My Commission Expires

☐ *Notary* **SEAL**

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.*

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