

Application for Writ of Retrieval

Chapter 24A of the Texas Property Code establishes a procedure by which an affected party can petition a justice court to obtain the assistance of a peace officer to gain access to a residence or former residence to retrieve specific items of personal property.

If you are unable to enter your residence or your former residence to retrieve personal property belonging to you or your dependent because the current occupant is denying you entry, you may apply to the justice court for an order authorizing you to enter the residence accompanied by a sheriff, a constable or their deputies to retrieve specific items of personal property. Only items on the following list may be retrieved under this order:

- medical records
- medicine and medical supplies
- clothing
- child-care items
- legal or financial documents
- checks or bank or credit cards in your name
- employment records H) personal identification documents

***** Important*****

If the items you are requesting are not listed above, an Order of Retrieval can NOT be issued. Seek other legal remedies to obtain any items not listed above.

If you are under a Court Order, Restraining Order, Emergency Protective Order, or any other Order prohibiting you from the location of your property or the Occupant (resident) residing at the location of your property, an Order of Retrieval can NOT be issued.

What you need to file:

- Complete this application in its entirety.
- Cost to file is \$46.00 + \$35.00 for posting of the Hearing Notice = \$81.00 due at filing
- A hearing will be set within 2 days of the application being filed.
- At the Hearing you will be required to post a bond if the Order for Retrieval is issued. If you are planning on using Individual Sureties, they will be required to appear at the hearing.
- If an Order for Retrieval is issued by the Court, you will be required to pay a fee of \$35.00 for the execution of the order