

STATE OF SOUTH CAROLINA) CIVIL CASE NO: _____
)
 COUNTY OF _____)
) IN THE MAGISTRATE'S COURT
)
) PETITION AND AFFIDAVIT FOR
) DISCARDED/ABANDONED
) VEHICLES/PROPERTY/MOBILE HOME

I, _____, the Plaintiff in this civil action do make the following claims:

The name of the Plaintiff/Plaintiff's business/Plaintiff local official is _____, which is located in the _____ Magisterial District in _____ County. The business license number is _____ (if applicable). I make the following claims based on 1, 2, 3, 4, or 5 below.

1. VEHICLE TOWED BY LAW ENFORCEMENT ORDER/REQUEST:

On _____ (date), the Plaintiff received a _____ (vehicle VIN and description) for towing and/or storage and as of _____ (current date), an amount of _____ is owed on the above vehicle. This total amount represents: \$_____ Towing, \$_____ Repairs and/or \$_____ Storage.

- a) Did this vehicle have a colored tag or other notice advising that the vehicle had been declared abandoned or derelict? _____ If YES attach tag or Law Enforcement Report.
- b) Highway Patrol/Sheriff/Municipal Police (circle one) called to tow a vehicle from the public roadway/public property/private property (circle one) as a result of abandonment/accident/breakdown/after an arrest (circle one) or _____(other).
- c) I reported the vehicle to be in my possession on _____ (date) to _____ (agency).
- d) I received information on ownership and lien holders on _____ (date). Copy attached.
- e) I have sent a Certified, Return Receipt letter to _____ (titleholder) on _____(date); to _____(Lienholder) on _____(date). Thirty (30) days has passed and no effort has been made to claim the vehicle by this owner (Yes/No), or the letter was returned unclaimed (Yes/No). Copy attached.
- f) Owner/Lienholder information has been received from _____ State Agency. A copy is attached.
- g) No Ownership/Lienholder information is available after reasonable search or certified return receipt letter(s) to the owner and/or lienholder was returned unclaimed and Notice of vehicle sale was published on _____(date) in _____ (name of newspaper). Copy attached.

2. VEHICLE CUSTOMER ORDERED REPAIR/TOWING:

On _____ (date), the Plaintiff received a _____ (vehicle VIN and description) for repairs or towing and as of _____ (current date) an amount of _____ is owed on the vehicle herein. This total represents: \$_____ Towing,

\$_____Repairs and/or \$_____ Storage. Towing/repairs were ordered by _____ (name of person).

- a) On _____ (date), I sent a Report of Unclaimed Vehicle to the South Carolina Department of Public Safety concerning this vehicle.
- b) On or about _____ (date), the South Carolina Department of Public Safety sent a letter to me stating that the vehicle was registered to _____ and that there was a lien (Yes/No) with the lienholder listed as _____. Copy attached.
- c) I sent a Certified, Return Receipt Letter to _____ (titleholder and person ordering towing/repairs if different from titleholder) on _____ (date), which was received by the addressee, 30 days has passed, and no effort has been made to claim the vehicle. (Yes/No). The letter was returned unclaimed (Yes/No). Copy attached.
- d) The lienholder was notified, Certified, Return Receipt Letter on _____ (date), and the letter was received by the addressee (Yes/No). Lienholder's letter was returned unclaimed (Yes/No). Mailing date of letter is: _____. Copy attached.
- e) Owner/Lienholder information has been received from _____ State Agency. A copy is attached.
- f) No Ownership/Lienholder information was available after reasonable search, or the certified return receipt letter(s) to the Owner and/or Lienholder was returned unclaimed and Notice of Vehicle Sale was published on _____ in _____ (newspaper). Copy attached.

3. STOLEN VEHICLES:

On _____ (date), the Plaintiff received a _____ (vehicle VIN and description) for repairs or towing, which was stolen and as of _____ (current date) an amount of _____ is owed on the vehicle herein. This total represents: \$_____ Towing, \$_____Repairs and/or \$_____ Storage. Towing/repairs were ordered by _____ (name of person).

- a) Highway Patrol/Sheriff/Municipal Police (circle one) called to tow a vehicle from the public roadway/public property/private property (circle one) and as a result determined that the vehicle was stolen.
- b) I reported the vehicle to be in my possession on _____ date to _____ (agency).
- c) I received information from Law Enforcement on ownership and lienholders on _____ (date). Copy attached.
- d) I have sent a Certified, Return Receipt Letter to _____ (titleholder) on _____ (date) and to _____ (lienholder) on _____ (date). The same was received by addressee(s), 30 days has passed, and no effort has been made to claim the vehicle. (Yes/No). The letter was returned unclaimed (Yes/No). Copy attached.
- e) No Ownership/Lienholder information was available after reasonable search, or the certified return receipt letter(s) to the Owner and/or Lienholder was returned unclaimed and Notice of Vehicle Sale was published on _____ in _____ (newspaper). Copy attached.

4. DERELICT/ABANDONED MOBILE HOME SALE/DESTRUCTION:

- a) The mobile home located at _____ has been (evicted) (abandoned)(declared derelict) by Court Order dated _____ (copy attached) and the required notice was posted on _____ (date) and remained posted for 30 days. Description of mobile home: Make _____, Model _____, Vehicle Identification Number _____.
- b) A request for title information was filed with the motor vehicle division on _____ (date) and for tax information with the County Auditor on _____ (date).
- c) That I sent a Certified Return Receipt letter concerning this action to (titleholder)(tax payer)(lienholder) on _____ (date).
- d) The letter was (received) or (unclaimed) by titleholder;
(received) or (unclaimed) by tax payer;
(received) or (unclaimed) by lienholder.
- e) No ownership information is available because _____

_____.
- f) The sale of this mobile home was published on _____ (date) in _____ newspaper.

THEREFORE, plaintiff requests that the Court order the mobile home described herein sold/destroyed and removed.

5. OTHER ABANDONED PROPERTY:

On _____ (date), the Plaintiff came into possession of a _____ (description of property) and as of _____ (current date), an amount of _____ is owed on the above item. This total amount represents: \$_____ Storage, \$_____ Other (Specify) _____.

- a) I have sent a Certified, Return Receipt letter to _____ (titleholder) on _____ (date); to _____ (Lienholder) on _____ (date). Thirty (30) days has passed and no effort has been made to claim the item by this owner (Yes/No), or the letter was returned unclaimed (Yes/No). Copy attached.
 - b) Owner/Lienholder information has been received from _____ State Agency. A copy is attached.
 - c) No Ownership/Lienholder information is available after reasonable search or certified return receipt letter(s) to the owner and/or lienholder was returned unclaimed and Notice of item sale was published on _____ (date) in _____ (name of newspaper). Copy attached.
6. The plaintiff has given all proper notices as provided in Section 29-15-10 of the South Carolina Code of Laws and is now entitled to sell said vehicle at public sale after proper advertisement.

7. Plaintiff Has Attached Copies Of All Paperwork.

8. Non-Attorney Representation Form attached, if required.

THEREFORE, plaintiff moves that this Court order that all vehicles/mobile homes/property described herein be sold at public auction/destroyed.

I state under penalty of perjury that the above information is true and correct to the best of my knowledge:

Signature	Date
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Business

Address/City/State/Zip

Phone

Sworn before me _____ (date)

Notary Public for South Carolina
My Commission Expires
