

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

Motion for the Release of Seized Property
Pending the Conclusion of the Forfeiture Proceedings

Pursuant to 42 Pa. C.S. §§ 5805(f) and 5806

For Official Use Only - Bar Code

Form containing sections: Motion Must Be Filed with the Office of Judicial Records, FOR OFFICIAL USE ONLY- CAPTION (PROPERTY DESCRIPTION), NAME OF PETITIONER, PETITIONER'S CURRENT ADDRESS, Motion for the Release of Seized Property Pending the Conclusion of the Forfeiture Proceedings, 1) I, the above named Petitioner, represent that I am entitled to lawful possession of the property described and identified below, and request this Honorable Court to release the property to me pending the conclusion of the Forfeiture Proceedings, and in support of my request I aver as follows: 2) NAME AND ADDRESS OF PERSON IN POSSESSION OF PROPERTY WHEN SEIZED 3) NAME AND ADDRESS OF THE OWNER, IF KNOWN, POLICE PROPERTY RECEIPT NUMBER (Attach Receipt) DATE PROPERTY SEIZED LOCATION OF PROPERTY WHEN SEIZED, NAME OF LAW ENFORCEMENT OFFICER WHO SEIZED PROPERTY, IF KNOWN BADGE NUMBER, IF KNOWN, DESCRIPTION OF PROPERTY, ADDRESS OF PROPERTY, IF PROPERTY SEIZED IS REAL ESTATE VIN NUMBER, IF PROPERTY SEIZED IS A MOTOR VEHICLE, ARE THERE ANY PENDING MATTERS RELATED TO THE SUBJECT PROPERTY (SUCH AS FORFEITURE)?, Basis for the Motion, Requested Relief, VERIFICATION, Date, Type Name of Petitioner, Signature of Petitioner.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS – TRIAL DIVISION-CIVIL**

**Motion for the Release of Seized Property Pending the Conclusion of the Forfeiture Proceedings**

The owner of property seized by law enforcement officers may file a *Motion for the Release of Seized Property Pending the Conclusion of the Forfeiture Proceeding* regardless of whether Forfeiture Proceedings have been instituted by the Commonwealth. See Trial Division General Court Regulation No. 01 of 2018 at [www.courts.phila.gov/orders/regs](http://www.courts.phila.gov/orders/regs).

**If you believe you are entitled to have the seized property released to you until the conclusion of the Forfeiture Proceedings:**

1. Complete and sign the *Motion for the Release of Seized Property*, make one copy, attach a copy of the Police Property Receipt, and file with the Office of Judicial Records, Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Motions Counter (Second Floor), Philadelphia, PA 19107. You must pay the filing fee of \$12.50.
2. Please indicate whether there are any pending matters related to the property you seek to be released to you, and check the applicable box regarding whether you have filed a Motion for the Return of Property pursuant to Criminal Rule 588. If so, enter the Case ID.
3. Please check any of the boxes that from the legal/factual basis for your Motion. If you check box C, explain each of the items that follow in detail and attach additional proof. Attach additional pages as necessary.
4. Check the Relief you request the Court to order.
5. **The District Attorney's Office and the Pennsylvania Attorney General's Office, as applicable, have agreed to accept service of the Motion from the Office of Judicial Records. Therefore, you do not need to serve the Motion on the Commonwealth.**
6. A hearing will be scheduled within 10 business days of the filing of the Motion. You ***must*** appear on the hearing date and give your reasons why the Judge should release the seized property pending the conclusion of the Forfeiture Proceedings. If you fail to appear on the hearing date, your *Motion* will be dismissed or denied.
7. You will be given a copy of the order issued by the judge, and if you fail to appear, a copy will be mailed to you.
8. If your *Motion* is granted, and the property was seized by the Philadelphia Police Department, you must contact the District Attorney's Office, Forfeiture Unit, Three South Penn Square, Philadelphia, PA 19107 to make arrangements for the release of your property pending the conclusion of the Forfeiture Proceedings.
9. If your *Motion* is granted, and the property was seized by Pennsylvania State Police, you must contact the Pennsylvania Attorney General, Asset Forfeiture and Money Laundering Section, 7801 Essington Avenue, Philadelphia, PA 19153 (Phone: 215-937-1328) for the release of your property pending the conclusion of the Forfeiture Proceedings.

**PLEASE NOTE**

**You may represent yourself or you may hire an attorney to assist and represent you.**

**If you fail to provide all required information or fail to appear for the scheduled hearing, your *Motion for the Release of Seized Property Pending the Conclusion of the Forfeiture Proceedings* will be denied or dismissed.**