

PHONE 712-362-2639

SHERIFF JUSTIN SCHULTES
CALEB CREECH
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DISPATCHERS:

CASIE WHITACRE
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JAILERS:

JAIL ADMINISTRATOR:
LAURIE THOMAS

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ROSALIA RODRIGUEZ
COREY RASCH

EMMET COUNTY SHERIFF'S OFFICE

EVICITION PROCEDURE (FORECLOSURES/SHERIFF'S SALES)

1. When the clerk of court receives a ruling on a forcible entry and detainer action in your favor you will need to request that the clerk of court issue a "Writ of Possession" to the sheriff. It will NOT be done automatically.
2. Contact the sheriff's office at 712-362-2639 between the hours of 8:00am and 4:00pm Monday thru Friday (except holidays) to SCHEDULE AN EVICTION TIME.
3. The sheriff's office will be delivering a copy of the Writ of Possession along with a letter stating the date of the eviction to the address of the defendant. We require this be done AT LEAST SEVEN DAYS before the eviction. It is not necessary to serve the letter on the defendant so we will POST IT ON THE DOOR if no one is available to receive it. There is no charge for this service.
4. The day of the eviction we will expect the plaintiff or his agent to check the location to see if the defendant has vacated voluntarily. Please call our office to either confirm or cancel the eviction. We will NOT respond until we hear from you. If you discover that the defendant has vacated previous to the eviction date please inform our office so we can use that time for other purposes.
5. At the time of the eviction we will expect the plaintiff to provide enough manpower to complete the eviction in approximately (2) hours. We recognize that unusual situations requiring more time will occur occasionally. The process must be completed by 4 pm and will be scheduled with that goal in mind. The sheriff's office's role in the eviction process is to provide the authority, keep the peace and direct the procedure.
6. We request that the plaintiff provide enough boxes and large trash bags to facilitate efficient moving of the property. If heavy rain is imminent it is suggested that a sheet of plastic be used to cover the property to prevent unnecessary damage. The eviction will only be postponed because of more severe weather conditions. If a waterbed needs to be drained we may

request that you bring a pump in the interest in time. If a refrigerator or freezer is involved we will expect the PLAINTIFF to SECURE the appliance so a child will not have access or for the PLAINTIFF to remove the door.

7. We will require the PLAINTIFF to move the property to the area where garbage pickup is done.
8. We will expect the PLAINTIFF to remove all property/garbage from the location. We will NOT get involved in determining what is valuable and what is not. If the defendant vacated voluntarily it is up to the Plaintiff to decide if they want to have our office stand by while any remaining property is removed. If the eviction procedure is cancelled the plaintiff accepts any liability for any property left behind.
9. Our fees for the service of the Writ of Possession (an eviction) are \$30.00 plus mileage and \$25.00 per hour per officer.