

Part 3. Execution of Order of Attachment; Garnishment.

**§ 1-440.15. Method of execution.**

(a) The sheriff to whom the order of attachment is directed shall note thereon the date of its delivery to him and shall promptly execute it by levying on the defendant's property as follows:

- (1) The levy on real property shall be made as provided by G.S. 1-440.17;
- (2) The levy on stock in a corporation shall be made as provided by G.S. 1-440.19;
- (3) The levy on goods stored in a warehouse shall be made as provided by G.S. 1-440.20;
- (4) The levy on tangible personal property in the possession of the defendant shall, except as provided in G.S. 1-440.19, be made as provided by G.S. 1-440.18;
- (5) The levy on tangible personal property belonging to the defendant but not in his possession, or on any indebtedness to the defendant, or on any other intangible personal property belonging to the defendant, shall, except as provided by G.S. 1-440.19 and 1-440.20, be made as provided by G.S. 1-440.25 relating to garnishment.

(b) The sheriff is not required to levy upon personal property before levying upon real property.

(c) In order for the sheriff to make any levy, it is not necessary for him to deliver to the defendant or any other person any copy of the order of attachment or any other process except in the case of garnishment as provided by G.S. 1-440.25. (1947, c. 693, s. 1.)