

STATE OF VERMONT

SUPERIOR COURT

Unit

CRIMINAL DIVISION

Docket No.:

*Plaintiff*

State of Vermont

VS.

*Defendant*

NOTICE OF PETITION FOR IMMOBILIZATION/FORFEITURE OF VEHICLE

In Re:

VIN#

TO:

*Respondent/Defendant*

*Mailing Address – City/State/Zip*

*Registered Owner(s)*

*Mailing Address – City/State/Zip*

*Registered Owner(s)*

*Mailing Address – City/State/Zip*

*Listed Lienholder(s)*

*Mailing Address – City/State/Zip*

*Other*

*Mailing Address – City/State/Zip*

You are hereby notified that the State of Vermont, by the State's Attorney of \_\_\_\_\_ County has petitioned the Criminal Division pursuant to 23 V.S.A. §§ [1213a/1213b/674(h)] and 1213c to \_\_\_\_\_ the above-described motor vehicle. Further,

- (A) If the defendant pleads or is found guilty of the criminal offense that is the basis of the motion for immobilization or forfeiture, any person who is an owner, an innocent owner or operator, or who holds a security interest in, or claims any interest in the motor vehicle may appear and be heard to protect that person's interest at a hearing on the motion contained in the complaint. A copy of the complaint has been attached to the Notice of Petition for \_\_\_\_\_ pursuant to V.R.C.P. 80.7(c)(2).
- (B) If the defendant pleads or is found guilty, the court will set a date for hearing on the motion, which shall be at the time of sentencing or continuation thereof.
- (C) Any recipient of the notice who wishes to receive notice of further proceedings on the motion must file with the Court within 14 days after service of the notice a writing containing the recipient's current mailing address.

(D) All further notice will be sent by the court via first-class mail to the recipient at the address provided by the recipient pursuant to paragraph (C); if the recipient does not provide an address, notice will be sent to the address shown on the records of the Department of Motor Vehicles in the state in which the vehicle is registered or titled.

(E) Except as provided below, after a person is detained, arrested, lodged or released upon citation for a second or subsequent violation of section 1201 of this title, no person shall sell, transfer or encumber the title to a vehicle that the person knows may be subject to immobilization under section 1213a of this title or forfeiture under section 1213b of this title, unless approved by the court in which the charge is filed for good cause shown. A person who violates this section shall be imprisoned not more than two years or fined not more than \$1,000.00, or both. Exception: If the State has not commenced a prosecution for a second or subsequent violation of section 1201 of this title within 90 days of the detention, arrest, lodging or release upon citation, the person may sell, transfer or encumber the subject vehicle. See 23 V.S.A. § 1213c (n)(2).

The address of the court is:

Dated

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Signature