

## **FORCIBLY ENTRY DETAINER WARRANT**

### **Aka DETAINER WARRANT (OTHER COUNTIES)**

This procedure is used to recover possession and/or rent owed on the property you are seeking to recover. Forcibly Entry Detainer Warrants (FED) & Fair Debt Letter (FDL) are required, unless two companies are involved. Once the FED is filed with the General Sessions Court & the FDL is mailed to the tenant, service must be rendered.

1. **Timing** – the court is catching up as quickly as possible on the 9500+ cases that were backlogged; however, they are still running behind.
2. **Service** – the server will give the tenant and court a date, but the court will determine the actual court date.
3. **Notice of Court Date** – a notice will be mailed to the plaintiff & defendant from the General Sessions office advising each party of the set court date.
4. **Hearing** – the same rules still apply - the hearing can proceed as usual or either party can request a continuance, or they can ask for the matter to be set for trial.
5. **Judgment** – once a judgment is received, the wait time is still 10 days before the judgment becomes final, this means that the judgment is not final until 10 calendar days from the date after the judgement. **Please Note:** that an appeal can be filed during this time, a bankruptcy filing can happen, and this will stop the 10 day clock.
6. **Covid Relief Funds** – if you receive Covid-19 Relief Funds, you must drop you current FED. In addition, you must wait predetermined wait time (the wait time is determined in the Order) before you can file a new FED. An Order will be entered stating that you agree to the conditions specified.
7. **Writ of Possession (WOP)** – once the judgment is final, a WOP can be filed. This allows you to remove the tenant's personal property and change the locks to secure your property.

#### **Court Cost for Shelby County:**

**Filing Fee - \$102.50**

**Process Server Fees - Determined by Server**

**Service by Sheriff - \$42.00 per Defendant**

**Telephone number for the Shelby County General Sessions front counter is 901-222-3419**

**GS Attorney Number for Crislip, Philip & Royal – C18310**