

OBTAINING A NEW TITLE TO A VEHICLE ABANDONED
ON PRIVATE PROPERTY

IMPORTANT DISCLOSURE

This set of forms and instructional material has not been approved for use in any Court and is provided as a courtesy only. Any entity distributing these materials will have no liability for errors contained herein or for direct, indirect, special or consequential damages in connection with the furnishing of this material.

Representation by licensed counsel is always recommended in any legal matter.

Before you start:

Read the forms carefully. The information requested is required, not optional.

You must attempt to contact the titled owner of the vehicle. The Petition requires that you explain how you have attempted to contact the titled Owner and proof must be provided regarding your attempts. For instance, by certified mail with a return receipt to the last known address of the titled owner.

You will need the market value of the vehicle either through Kelly Blue Book or by having it appraised. That information is also required in the Petition.

When filling out the forms use black ink, print neatly, and DO NOT USE WHITE OUT on the forms.

The set of forms consists of:

Civil Cover Sheet
Affirmation form
Petition For Writ of Mandamus
Request For Submission
Judgment

Some definitions:

Petitioner: The person making this Petition for a title to be issued to them.

Respondent Owner: The legal owner of the vehicle from whom Petitioner wishes to gain title.

Respondent: The Director of the Nevada Department of Motor Vehicles, currently, Edgar J. Roberts (The Director of DMV must be named because the Judgment is going to direct the DMV to issue the new title if your request is granted.)

Filling in the forms:

On the Civil Cover Sheet, fill in the information under PARTY INFORMATION.

Your name, address and date of birth go on the Plaintiff side.

The names of the Respondents go on the Defendants side. You do not have to fill in addresses and dates of birth for the Respondents.

Date and sign at the bottom of the form.

On the Petition For Writ of Mandamus, fill in your name, address and telephone number in the left corner.

Fill in the heading leaving the Case No. and Dept. No. blank. The filing clerk will fill in the Case No. and Dept. No. when you file the case.

Edgar J. Roberts is the current (2009) Director of Motor Vehicles for the State of Nevada.

Fill in the blanks on the form.

The form must be signed in the presence of a Notary Public.

Request For Submission: Fill in your name, address, and telephone number in the upper left hand corner.

Fill in the heading just as it appears on your other documents.

Fill in the form and sign. This form does not need to be notarized.

Judgment form: Fill in the heading just as you have on the other forms.

Fill in the description of the vehicle, i.e. make, model, VIN, color, etc.

On line 21, fill in the name of the current Director of DMV, right now, Edgar J. Roberts.

Fill in your name and address as indicated.

DO NOT FILL IN THE DATE. The Judge will fill in the date when he/she signs the Judgment.

The Affirmation form is filled out the same as the others.

Make 3 copies of the documents and take the original and the copies to the Filing Clerk's Office. The Clerk will charge you a fee to file.

For the amount to file the documents call the Clerks Office, or go to the website. The clerk will keep the originals and return the copies to you EXCEPT for the Judgment. The clerk will keep all of the Judgment forms.

You must leave a telephone number with the clerk's office so the court may call you when the documents have been signed.

You will return to the clerk's office and pay a \$5.00 fee to have the Judgment certified.

You then bring the certified copy of the documents to the Department of Motor Vehicles (DMV) and after paying the DMV fees, a certificate of title to the vehicle should be issued.

CIVIL COVER SHEET

Case No. _____
(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

Defendant(s) (name/address/phone):

Attorney (name/address/phone):

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

Arbitration Requested

Civil Cases

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
Estimated Estate Value: _____ <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Foreclosure Mediation <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

- | | | |
|-----------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input type="checkbox"/> Enhanced Case Mgmt/Business |
| <input type="checkbox"/> Commodities (NRS 90) | <input type="checkbox"/> Deceptive Trade Practices (NRS 598) | <input type="checkbox"/> Other Business Court Matters |
| <input type="checkbox"/> Securities (NRS 90) | <input type="checkbox"/> Trademarks (NRS 600A) | |

Date _____

Signature of initiating party or representative _____

See other side for family-related case filings.

Code: _____
Name: _____
Address: _____
Telephone: _____
Acting in Proper Person

IN THE JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF

Petitioner
vs.

Owner Respondent
and

Respondent
Director of Motor Vehicles
State of Nevada

Case No. _____
Dept. No. _____

PETITION FOR WRIT OF MANDAMUS

1. At all relevant times, petitioner was, and now is, a resident of the City of _____,
_____ County, State of Nevada.
2. At all relevant times, respondent _____, here referred to as respondent
(Name)
Owner, was, and now is, a resident of the City of _____,
_____ County, State of Nevada.
3. At all relevant times, respondent _____ was, and still is
(Name)
_____ of the State of Nevada.
(Director of Motor Vehicles)

1 4. Since _____, vehicle has been located on private property of Petitioner
(Date)

2 _____ and continues to be located on such property at:
(Name)

3 _____
(Address of location of vehicle)

4
5 *On the lines below, fully describe the vehicle. Give VIN#, model, color, year,*
6 *whether running or not, license plate number, and market value of the vehicle.*

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16 5. On the above mentioned date, respondent owner _____
(Name)

17 left the above described vehicle on the property.

18 *On the lines below, fully describe in detail the circumstances under which the*
19 *vehicle was left on your property.*

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6. I have tried to contact the respondent owner in the following manner:

On the lines below, describe in detail how and when you have tried to contact the respondent owner. Attach copies of any evidence you have of your attempts to contact the respondent owner.

7. Petitioner is unable to sell or use the vehicle without obtaining a Nevada certificate of title and has no plain, speedy, and adequate remedy in the ordinary course of the law other than by the issuance of this court of a Judgment.

Check all boxes below that apply to your circumstances.

A storage lien is not appropriate because:

- Vehicle was abandoned on private land owned by petitioner and remains on this land.
- Petitioner did not charge respondent owner fees for storage on the private land.
- Vehicle was not towed or moved to any garage, facility, or other place to be stored.

1 A mechanic's lien is not appropriate because:

- 2 Vehicle was not towed or moved to any garage, facility, or other place to be repaired or
3 maintained.
4 Respondent owner did not request that any labor be performed on vehicle, or materials
5 provided for maintenance by an person.

6 WHEREFORE, Petitioner requests that:

- 7 1. Petitioner be decreed the owner of the vehicle free and clear of any claims of
8 respondent owner.
9 2. Respondent _____, as _____
10 (Name) (Director of Motor Vehicles)
11 of the State of Nevada be compelled, by issuance of a Judgment to recognize the petitioner as
12 the owner of the vehicle and to issue a certificate of title to petitioner on payment by the
13 petitioner of the usual fees; and
14 3. Petitioner may have such other relief as the court may deem proper.

15 Date: _____

16 _____
(Print Name)

17 _____
(Signature)

18 _____
(Address)

19 _____
20 _____
(Telephone)

21
22 SUBSCRIBED and SWORN to before me
23 this _____ day of _____, 20__

24 _____
(Notary Public)
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1 VERIFICATION AND ACKNOWLEDGMENT

2 STATE OF NEVADA)
3)ss
4 County of _____)

5 _____, first being duly sworn, under oath and the
6 (Your name)
7 penalties of perjury, deposes and says: I am the Petitioner in the above entitled action, and
8 competent to testify as to the contents of the attached pleading of my own knowledge; that I
9 have read the foregoing and know the contents thereof; that the same are true to the best of my
10 own knowledge, save and except to those matters stated upon information and belief, and, as to
11 those matters, I believe to same to be true.
12

13 _____
(Signature)

14 SUBSCRIBED and SWORN to before me
15 this _____ day of _____, 20__

16 _____
17 (Notary Public)

18
19 STATE OF NEVADA)
20)ss
21 County of _____)

22 On this _____, _____ personally appeared before me, the undersigned,
23 a Notary Public in and for the County of _____, State of
24 Nevada, _____, personally known to
25 me or proved to me to be the person whose name is subscribed to the above instrument who
26 acknowledged that she/he executed the above instrument, for purposes as stated there in.
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28 _____
(NOTARY PUBLIC)

Code: _____

Name: _____

Address: _____

Telephone: _____

Acting in Proper Person

IN THE JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF

Petitioner

vs.

Case No. _____

Dept. No. _____

Owner Respondent
and

Respondent
Director of Motor Vehicles
State of Nevada

JUDGMENT

This matter having come before the Court on a petition for a Writ of Mandamus filed by
Petitioner requesting a new title to the vehicle described therein as _____

_____ ; and,

This Court finding that it is appropriate to issue such a judgment hereby orders as follows:

It is hereby ordered that _____ in his/her capacity as Director
of the Department of Motor Vehicles of the State of Nevada issue a Certificate of Title to

Name: _____

Address: _____

for the vehicle above described.

Date: _____

District Court Judge

1 Your name or firm: _____
Mailing Address: _____
2 City, State, Zip: _____
Telephone: _____

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4 **In The Judicial District Court of the State of Nevada**
5 **In and for**

6) Case No. _____
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_____)
Petitioner/Plaintiff)
vs.)
_____)
Respondent/Defendant)

11 **AFFIRMATION**
12 **Pursuant to NRS 239B.030/603A.040**

13 The undersigned does hereby affirm that the attached document entitled
14 _____ **DOES** contain:

15 1. "Personal information" which means a natural person's first name or first initial and last name
16 in combination with any one or more of the following data elements:

- 17 _____ a. Social security number.
18 _____ b. Driver's license number or identification card number.
19 _____ c. Account number, credit card number or debit card number, in combination
20 with any required security code, access code or password that would permit access to the person's
21 financial account.

22 (NRS 603A.040)

23 2. This information is provided pursuant to:

- 24 _____ a. A specific state or federal law identified as _____
25 _____ b. For the administration of a public program identified as _____
_____ c. For an application for a federal or state grant identified as _____

(NRS239B.030)

(Your signature) _____ (Date) _____

1 Your name: _____
Mailing Address: _____
2 City, State, Zip: _____
Telephone: _____
3 In Proper Person _____

4 **In The Judicial District Court of the State of Nevada**
5 **In and for**

7 _____) Case No.: _____
8 Petitioner/Plaintiff) Dept. No. _____
9)
10 vs.) **REQUEST TO SUBMIT**
11 Respondent/Defendant)
12 _____)

13
14 COMES NOW, _____, in proper person, and hereby
15 requests that the _____ previously filed
16 (name of document)
17 in the above-entitled matter on the ____ day of _____, 20____, be submitted to
the Court for consideration.

18 DATED this _____ day of _____, 20_____.

19 Your Name _____

20 Address _____

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22 Telephone # _____
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), the undersigned hereby certifies that on this date, I deposited a true and correct copy of the foregoing Request to Submit in the U.S. Mail with postage pre-paid thereon, addressed to:

Dated this _____ day of _____, 20_____.

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