

§ 1-310. When dated and returnable.

(a) Executions shall issue in accordance with G.S. 1A-1, Rule 62. In no case shall an execution against property issue until 10 days after entry of judgment. Executions shall be dated as of the day on which they were issued and are returnable to the court from which they were issued not more than 90 days from that date. If an execution sale is postponed pursuant to G.S. 1-339.58, the 90-day period to return the execution to the court is extended by the number of days the sale is postponed.

(b) The sheriff shall separately notate on the return of execution for a judgment requiring the payment of money (i) any amount collected without an execution sale and the date of collection and, if multiple payments to the sheriff are collected on different dates pursuant to a single writ of execution, the individual dates of collection and the amount collected on each date and (ii) the date of levy and description of property levied and sold through an execution sale pursuant to Article 29B of this Chapter. (1870-1, c. 42, s. 7; 1873-4, c. 7; Code, s. 449; 1903, c. 544; Rev., s. 624; C.S., s. 672; 1927, c. 110; 1931, c. 172; 1953, c. 697; 1971, c. 381, s. 12; 1973, c. 1070, s. 2; 1977, c. 74, s. 1; 2021-47, s. 14(b); 2022-60, s. 2(a).)