

**RULES OF PRACTICE FOR THE GENERAL SESSIONS COURT
FOR KNOX COUNTY, TENNESSEE**

WHEREAS, in civil detainer cases, upon judgment for the landlord, a Writ of Possession may issue after waiting the statutory ten (10) day appeals period; and

WHEREAS, while, typically, a landlord files for the Writ of Possession within a reasonable period of time after the statutory ten (10) day appeals period; and

WHEREAS, occasionally, after obtaining a judgment, the landlord and tenant make a new contract for ongoing occupancy and payment of rent, thus the Writ of Possession is not sought timely, yet, after creation of the new contract, the landlord seeks the Writ of Possession on the original judgment;

THEREFORE, the following new Rule regarding Writs of Possession has been deemed necessary by the Court.

RULE 28. PROCEDURE FOR UNTIMELY REQUESTED WRITS OF POSSESSION

Upon receiving a favorable judgment in a detainer case, those parties seeking a Writ of Possession may do so at any time starting Day Eleven (11) post-judgment through Day Ninety (90) post-judgment.

Those parties seeking a Writ of Possession any time beyond Day Ninety (90) post-judgment must contact the Clerk's office and request to be placed on the docket for an *ex parte* determination by the Court that the judgment remains valid and no new contract between the original parties has been established.

If, after the *ex parte* hearing, the Court determines that further inquiries should be made prior to issuing the Writ of Possession, the Court will place the matter back on the docket for a hearing with all parties present.

Upon hearing testimony by all parties, the Court will determine whether the Writ of Possession may issue.

This Rule is effective immediately.

Per Curiam

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GENERAL SESSIONS COURT
ORIGINAL DIVISION
KNOXVILLE, TN