

425.081 Motion to quash writ.

- (1) Any defendant whose property has been taken pursuant to a writ of possession issued under this chapter may apply for an order that the writ be quashed and any property levied on pursuant to the writ be released. Such application shall be made by noticed motion and the provisions of KRS 425.031.
- (2) Pending the hearing on the defendant's motion the judicial officer may order that delivery pursuant to KRS 425.101 of any property previously levied upon be stayed. If the judicial officer determines that the plaintiff is not entitled to a writ of possession, he shall quash the writ of possession and order the release of any property previously levied upon.

Effective: July 13, 1984

History: Amended 1984 Ky. Acts ch. 158, sec. 4, effective July 13, 1984. -- Created 1976 Ky. Acts ch. 91, sec. 16.