

STATE OF WISCONSIN

CIRCUIT COURT

WAUKESHA COUNTY

Petition for Return of Property

In the matter of the Possession of Property by

Case No./Inventory No. _____

Name of person requesting property

Date of Birth	Sex	Race	Height	Weight	Hair color	Eye color
Address					Telephone number	

Pursuant to §968.20, Wisconsin Statutes, I hereby petition the Circuit Court of Waukesha County to direct the agency or entity listed below to return the property which was taken and is being held by that agency or entity.

Under Oath I State:

An Agency/Entity Holding Property _____ (County/Municipality name) took said property
_____ (Description of Property)
on _____ (Date arrested property was taken) because _____

(Explain why property was taken including arrested parties names and list of property, attach separate document if needed).

If the property is a firearm, please complete the following:

NOTICE: §941.29, Wisconsin Statutes certain persons from possession or attempting to possess firearms. Before a firearm is returned to you, you must be able to truthfully answer the following questions: CIRCLE THE ANSWERS

1. I am the rightful owner of the firearm(s). True or False
2. I can provide proof of ownership of the firearm(s). True or False
3. I have not been convicted of a felony in a state or federal court. True or False
4. I have not been convicted of a misdemeanor crime of domestic violence. True or False
5. I am not prohibited by an order of a federal or state court from possessing a firearm. True or False
6. I am not prohibited from possession of a firearm for any other reason known to me. True or False

I REQUEST THE COURT enter an order directing the named agency return the items that were seized pursuant to the order of the court.

State of Wisconsin
County of Waukesha

Subscribed and sworn to before me on _____

Signature of person requesting property

Print Name

My commission/term expires: _____

Date

GUIDELINES FOR COMPLETING A PETITION FOR RETURN OF PROPERTY PURSUANT TO §968.20

1. Complete the Petition for Return of Property.
 - A. You must provide a case number. If no prosecution, write “No Process” on the line.
 - B. You must include Inventory Number for property seized (obtain from agency).
2. Check the Petition for completeness.
3. You must personally serve the Petition on interested parties (see below). You will not receive a court date until proof of service is filed.

If City of Waukesha Police Department has your property, personally serve all of the following:

- ☐ City of Waukesha Police Department, 1901 Delafield, St., Waukesha, WI 53188
- ☐ District Attorney’s Office, Room # 2-700, Waukesha County Courthouse, 515 W. Moreland Blvd., Waukesha, WI 53188

If Waukesha County Sheriff’s Department has your property, personally serve all of the following:

- ☐ Waukesha County Sheriff’s Department, 515 W. Moreland Blvd., Waukesha, WI 53188
- ☐ District Attorney’s Office, Room # 2-700, Waukesha County Courthouse, 515 W. Moreland Blvd., Waukesha, WI 53188

If Another Municipality has your property, personally serve all of the following:

- ☐ Attorney for the Municipality
- ☐ District Attorney’s Office, Room # 2-700, Waukesha County Courthouse, 515 W. Moreland Blvd., Waukesha, WI 53188

IF ANY OTHER PERSON(S) HAVE OR MAY HAVE AN OWNERSHIP INTEREST IN THE PROPERTY, YOU MUST PERSONALLY SERVE THEM AS WELL AND PROVIDE PROOF OF SERVICE.

4. Have the petition notarized and submit the original petition (showing proof of service for each applicable party). You may bring it in or mail it to:

Clerk of Circuit Court
Criminal Division Room 167
515 W. Moreland Blvd.
Waukesha, WI 53188

5. Notices of the hearing will be sent to all parties to appear on a certain date before a judge to determine if the property may be released to the petitioner.