

Instructions for Motion of Heir of Property Owner to Intervene to Receive Funds of Sheriff's Sale:

This form may be used by someone who is an heir of a deceased owner of the property and who desires to acquire Sheriff's Sale funds due to the deceased owner. The Court will not consider motions or requests by those who are not parties to the case. As a consequence, in order to make a request of the Court to distribute funds, the heir must intervene.

1. Fill in the blanks in the caption with information from the case in which you desire to intervene. This information may be obtained by searching with the case number or the property address on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>.
2. Fill in your name wherever "Name of heir" appears.
3. Provide your reasons for intervening in the case. Add pages if necessary. In order to receive funds due to a deceased owner, an heir must provide documentation that the Probate Court has awarded the deceased owner's share of the proceeds to the heir. Contact the Probate Court or visit the Probate Court's website at <http://probate.cuyahogacounty.us/> for more information on how to do this.
4. Attach a proposed motion or pleading. Other forms provided by the Court, such as the "Motion for Distribution of Funds" form may be appropriate for the relief you are seeking.
5. Sign the Motion and include your contact information.
6. Sign and complete the Certificate of Service. See the form titled "Certificate of Service" for more information. The parties' addresses may be obtained by searching with the case number on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>. Attach the completed Certificate of Service to your Motion.
7. Mail a copy of your Motion to the parties listed in the Certificate of Service.
8. File your motion with the Cuyahoga County Clerk of Courts.
9. **If you fail to do any of the above, your Motion will likely be denied.**
10. Under Civ.R. 6(C), the other parties in the case have at least 14 days to respond to your Motion. Do not expect a ruling until after these 14 days have passed. Check the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us> for a ruling on your Motion.

**COURT OF COMMON PLEAS
GENERAL DIVISION
CUYAHOGA COUNTY, OHIO**

Plaintiff

CASE NO. _____

vs.

JUDGE _____

Defendant

**MOTION OF HEIR OF PROPERTY
OWNER TO INTERVENE**

Now comes _____ and moves this Court to intervene in this case
pursuant to Civ.R. 24. _____
[Name of heir] has an interest in the property that is the subject
of this case. Further proceedings in this case may impair or impede _____ 's ability
[Name of heir]
to protect this interest and this interest is not adequately represented by the existing parties.

Specifically, [state reasons for seeking to intervene and attach probate information],

_____. A proposed motion or pleading is attached. [Attach proposed motion or
pleading].

Respectfully submitted,

[Signature of heir]

[Printed Name of heir]

[Address, phone number and email address
of heir]

Certificate of Service

A copy of the foregoing Motion to Intervene has been sent by regular U.S. Mail to the following parties or their counsel of record:

[Please list all parties in the case or their attorneys and their addresses]

[Signature of heir]

[Printed name of heir]

[Date]