6-32/730.00 Request for Release of Writ of Attachment or Execution

If the plaintiff or judgment creditor requests a release of his or her attachment or execution, preferred labor claims received are not released. The levying officer may:

1. continue collecting under the writ attachment or execution until all preferred labor claims are satisfied and the release the levy, or
2. The levying officer must mail notices of the request of the attaching creditor to release to each of the labor claimants or their attorneys, notifying them that the property will be released unless they bring actions of their own and levy on the property within five days of the mailing. Once the five days has expired, the levy may be released.

The five-day period is extended if service is by mail (CCP 1013):

- 5 days if within the state
- 10 days if outside of California
- 20 days if outside of the United States

The levy may also be released if at any time the levying officer's costs, keeper fees, or storage fees have not been immediately taken care of by some of the parties involved. (CCP 1208)