



CHAPTER 1
ARTICLE 35 - ATTACHMENT

N.C.G.S. § 1-440.1.

Nature of attachment.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 954, s. 3 — second act in the lineage	RETRIEVED 21 September 2026, 04:20 UTC	SOURCE FINGERPRINT 07fe8c6226a8da1b82ed5110 - 66dbe9c8583632f39eb972e - 6c6563cdaa38e3d2
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- § 1-440.1(a)

Attachment is a proceeding ancillary to a pending principal action, is in the nature of a preliminary execution against property, and is intended to bring property of a defendant within the legal custody of the court in order that it may subsequently be applied to the satisfaction of any judgment for money which may be rendered against the defendant in the principal action.
- § 1-440.1(b)

No personal judgment, even for costs, may be rendered against a defendant unless personal jurisdiction has been acquired as provided in G.S. 1-75.3.
- § 1-440.1(c)

Although there is no personal service on the defendant, or on an agent for him, and although he does not make a general appearance, judgment may be rendered in an action in which property of the defendant has been attached which judgment shall provide for the application of the attached property, by the method set out in G.S. 1-440.46, to the satisfaction of the plaintiff's claim as established in the principal action. If plaintiff's claim is not thereby satisfied in full, subsequent actions for the unsatisfied balance are not barred.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1947		1957		1967
	TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT		CHARACTER	
01	1947	c. 693, s. 1		ENACTED	
02	1967	c. 954, s. 3		AMENDED	

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-75.3	(b)	"has been acquired as provided in"
G.S. 1-440.46	(c)	"by the method set out in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-440.1 (1967).

PINPOINT

N.C. Gen. Stat. § 1-440.1(a) (1967).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1947, c. 693, s. 1; 1967, c. 954, s. 3.)

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