

IN THE  
SUPREME COURT OF PENNSYLVANIA

IN RE: Amendment of Rule           :           No. 290  
of Civil Procedure                 :           Civil Procedural Rules  
2958.3(a)                           :           Docket No. 5

O R D E R

**PER CURIAM:**

AND NOW, this 17th day of April, 1998, Pennsylvania Rule of Civil Procedure 2958.3(a) is amended to read as attached hereto.

Whereas prior distribution and publication of the amendment would otherwise be required, it has been determined that the amendment is of a perfunctory nature and that immediate promulgation is required in the interest of efficient administration.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 1998.

**NOTE:**

Underscored material is added.  
Bracketed material is deleted.

**Rule 2958.3. Notice of Execution Served with Writ of Execution.  
Request for Prompt Hearing Limited to Issue of  
Waiver of Due Process Rights**

(a) Written notice in the form prescribed by Rule 2966 and a form of petition to strike the judgment and request for prompt hearing in the form prescribed by Rule 2967 shall be served upon the defendant with the writ of execution if the property to be levied upon or attached consists of

- (1) personal property or
- (2) personal property and real property, not within the scope of Rule 2958.2(a)(2).

NOTE:....

**Explanatory Comment**

The amendment to Rule 2958.3(a) supplies an omission with the addition of the words "or attached". The amendment conforms the language of subdivision (a) to that of subdivision (b) which begins with the clause "If the writ has been served and property has been *levied upon or attached,....*"

By the Civil Procedural  
Rules Committee

Edwin L. Klett  
Chairman