File No.

JUDGMENT IN ACTION FOR SUMMARY EJECTMENT CRIMINAL ACTIVITY

G.S. 42-63

Name And Address Of Plaintiff

County	Telephone No.

VERSUS

Name And Address Of First Defendant

County	Telephone No.

Name And Address Of Second Defendant

County	Telephone No.

Name And Address Of Plaintiff's Attorney Or Agent

Name And Address Of Defendant's Attorney

STATE OF NORTH CAROLINA

_____ County

In The General Court Of Justice
District Court Division - Small Claims

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant(s) was given proper notice of the nature of the action and the date, time and location of the trial.

FINDINGS

The Court finds that:

☐ 1. the plaintiff has proved the case by the greater weight of the evidence.
☐ 2. the plaintiff has failed to prove the case by the greater weight of the evidence.
3. the defendant(s) ☐ was ☐ was not present at trial.
☐ 4. the tenant proved an affirmative defense under G.S. 42-64.
☐ Other: _____

ORDER

It is ORDERED that:

☐ *(eviction)* the defendant(s) named below be removed from and the plaintiff be put in possession of the premises described in the complaint.

Name Of Defendant(s) Ordered Removed

☐ *(partial eviction)* the defendant(s) named below immediately vacate the premises described below, and the defendant(s) named below is barred from returning to the premises described in the complaint as well as the entire complex of buildings or the mobile home park and all real property used in connection therewith, including streets, sidewalks and common area that make up the entire premises owned by the plaintiff. Failure to comply with this Order may subject the defendant(s) named below to contempt or to a charge of a criminal violation.

Name Of Defendant(s) Barred From Premises	*Description Of Premises (include location)*

☐ *(conditional eviction)* as an express condition of the lease between the landlord and tenant, the defendant/tenant, shall not give permission to or invite the person named below to return to or reenter any portion of the entire premises owned by the landlord and if the person named below returns to the defendant's individual rental unit, the defendant/tenant shall notify law enforcement or the landlord immediately upon learning of the return or reentry. The defendant/tenant shall *(state other conditions, if any)*

Name Of Person Barred From Premises (may be person named above or someone barred by rules of publicly assisted landlord)

The defendant/tenant shall sign the acknowledgment below.

☐ this action be dismissed with prejudice. ☐ Other: _____

☐ Costs of the action are taxed to the ☐ plaintiff. ☐ defendant(s).

If the magistrate finds in favor of the plaintiff, the defendant appeals the judgment, and a stay of execution is entered, the clerk of superior court is required to comply with the provisions in G.S. 42-34(e) or (g) for release of rental payments within five (5) business days of receiving a written request from the plaintiff.

☐ Judgment Announced And Signed In Open Court	*Date*
Name Of Party Announcing Appeal In Open Court	*Signature Of Magistrate*

CERTIFICATION

(**NOTE:** *To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.*)
I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date	*Signature Of Magistrate*

ACKNOWLEGMENT BY DEFENDANT/TENANT

I understand the terms of the conditional eviction against me stated above. I understand that my failure to comply with the Court's order will result in the termination of my lease, and that I will be evicted.

Date	*Signature Of Tenant*
Date	*Signature Of Tenant*