

# **26<sup>th</sup> Judicial District SelfServe Center**

Small Claims: Money Owed

DUE TO THE CHANGING NATURE OF THE LAW, the forms and instructions contained in this packet may become outdated. You should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

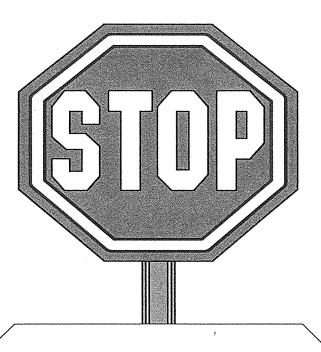
IN NO EVENT will the SelfServe Center Staff, Clerk of Court or anyone contributing to the production of these forms, instructions or guidelines be liable for any indirect or consequential damages resulting from use of the forms or information provided to you by the SelfServe Center.

IF THERE ARE ANY QUESTIONS in your mind concerning these forms, or your legal rights, it is strongly recommended that you consult with an attorney.

USE THESE FORMS AT YOUR OWN RISK. THESE FORMS MAY OR MAY NOT BE APPROPRIATE IN YOUR PARTICULAR CASE. ANY DESIRED OUTCOME FROM THE USE OF THESE FORMS CANNOT BE PREDICTED OR GUARANTEED. IT IS STRONGLY RECOMMENDED THAT YOU SEEK LEGAL ADVICE!

Filing Fees are regulated by the North Carolina General Assembly, and are subject to change. Please consult with the Staff of the Civil Filing Department or the SelfServe Center for the most up to date fees.

THE FILING FEE FOR THIS ACTION IS:	
SHERIFF'S FEE IS:	
	© 1999 SelfServe Center



PLEASE CAREFULLY READ THE FORMS AND INSTRUCTIONS CONTAINED IN THIS PACKET.

IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT WITH AN ATTORNEY.

THESE ARE EDUCATIONAL FORMS DESIGNED TO ASSIST YOU, BUT YOU ARE REPRESENTING YOURSELF. PLEASE REVIEW AND FOLLOW THE DIRECTIONS TO IMPROVE YOUR PERFORMANCE IN YOUR CASE. FAILURE TO READ AND FOLLOW THE INSTRUCTIONS MAY ADVERSELY IMPACT YOUR CLAIM.

## INTRODUCTION

### What is this?

This packet of information is provided for individuals who wish to pursue a case without the assistance of an attorney. This is called a *pro se* or self represented case. If you are not sure that you want or need to go to court, please ask the Self Serve Center staff to direct you to a lawyer referral service or list of local attorneys willing to provide "unbundled services" *(representation for a limited portion of a case at an hourly rate)*.

## How will it help me?

If you do not plan to use an attorney, this packet will start the process for you by providing certain forms you will need. Since you are representing yourself, it is YOUR responsibility to ensure that these are the correct forms for the nature of your case. Therefore, you should review and research *applicable laws* and *rules of procedure* that apply to your type of case. If you are not able to do this, you should talk with an attorney. If at any point during the process you become confused or wish to proceed with the help of an attorney, contact the <u>Mecklenburg County Bar Lawyer Referral Service at (704) 375-0120 or the North Carolina Bar Lawyer Referral Service at (800) 662-7660.</u>

## What does this mean?

Certain legal terms will be used throughout your case. A complete legal glossary is available for your convenience in the SelfServe Center. If you still do not understand the term, consult a legal dictionary or the SelfServe Center staff. Staff CANNOT provide legal advice, but can provide procedural information and definitions of legal terms.

# SMALL CLAIMS INSTRUCTIONS (FOR MONEY OWED)

## **IMPORTANT:**

- You may file this action if the personal property you are seeking to recover is valued at ten thousand (10,000) dollars or less.
  - Please PRINT (BLACK INK ONLY) or TYPE these forms.
- The Defendant(s) <u>MUST</u> be a resident of Mecklenburg County. The defendant is the person or persons from whom you are attempting to recover money owed.
  - The Plaintiff (you) <u>MUST</u> provide a full name and address. You may provide a work address; however, a Post Office Address <u>MAY NOT</u> be used. When filing against a business, show if the business is incorporated (INC. or Co.) or if the business is a person doing business under an assumed name (EXAMPLE John Doe doing business as John Doe's Towing Service).

Note: refer to Instruction Number 3 on the back of the complaint

# **Step One:** Completing Your Forms

Please review your forms to make sure that you have the necessary documents to complete this process.

- Complaint to Money Owed
  - o One Defendant

On-Line Form: Two (2) copies From Clerk's Office: One (1) copy

Two Defendants

On-Line Form: Three (3) copies From Clerk's Office: One (1) copy

- o If you are unclear if you are filing under "Plaintiff a Secured Party" or "Plaintiff not a Secured Party", read the descriptions for each found under the titles "When Plaintiff is a Secured Party" and "When Plaintiff is not a Secured Party".
- The Complaint form needs to be completely filled out. It is to be dated and signed by you, the Plaintiff.

## Magistrate Summons

- One (1) defendant, you will need 4 copies
- o Two (2) defendants, you will need 5 copies
- O The Magistrate summons should have the name <u>and</u> address of each Defendant listed. You will be mailed the Notice of Hearing Date: therefore, a self addressed stamped envelope should be provided as well and will not be provided by the Clerk's Office.

**Note:** This notice will be a copy of the Magistrate Summons you provided.

- The summons <u>MUST</u> have the name and address of each Defendant after the word "TO". Please give the home and work address, if possible. **DO NOT SIGN THIS FORM. DO NOT COPY THESE FORMS.**
- Servicemembers Civil Relief Act Affidavit Please submit one per Defendant
  - o Website: <a href="https://www.dmdc.osd.mil/appj/scra/">https://www.dmdc.osd.mil/appj/scra/</a> to determine the defendant's military status.
- Affidavit of Service of Process by Registered or Certified Mail (Use only if you plan to send the Complaint and Summons to the Defendant(s) by Certified or Registered Mail)

# **Step Two:** Filing the Documents.

The filing fee is payable by <u>cash</u>, <u>money order</u>, <u>or credit card only</u>. Take these documents, a self-addressed and stamped envelope (so that your **Notice of Hearing** may be sent to you), and the **filing fee** to the Small Claims counter in the Civil Filing Department (832 E. Fourth St, Room 3725).

o If you want the Sheriff to serve the Defendant(s) (see Service of Process information below), bring an additional \$30 per defendant. The clerk will file your documents and give you a case number. Please make note of this <u>case number</u> as it should be placed in the <u>upper right hand corner</u> of all subsequent documents in the case.

# **Step Three:**Obtaining Dates, Further Information, etc.

Cases are scheduled for court approximately 29 days from the time they are filed. You will be notified by mail of your court date as soon as we know the Defendant(s) has been served. If for some reason the Sheriff is unable to serve the Defendant(s), we will notify you by mail. Additional fees will apply.

# **Step Four Service of Process**

North Carolina General Statutes require that you give notice to the defendant about the filing of your claim. This is known as "Service of Process." The correct way to serve the defendant is determined by law. If the documents are not correctly served on the defendant, the court will not hear your case.

# PLEASE READ THIS SECTION VERY CAREFULLY. If you have concerns or are confused, consult with an attorney immediately!

In order for your case to be binding against the Defendant, he/she must be given notice of the case, or *served* in a manner that is recognized by the court. **PLEASE NOTE that service of process must be** *completed successfully* for your case to proceed and avoid dismissal. This means that if you have the sheriff serve the documents, **IT IS YOUR RESPONSIBILITY** to follow up and make sure service was completed. If you serve by certified or registered mail, **YOU MUST** file the **Affidavit of Service of Process by Registered or Certified Mail** found in your packet along with the **green return-receipt card** you receive in the mail. The forms needed for *Service of Process* and the procedures you must follow are complex and will vary. In order to learn which steps to take next, review the following and choose the correct forms and procedures for your case:

## **Available Methods for Service of Process:**

## I. Service of Process by the Sheriff:

- a. If Defendant lives in Mecklenburg County:
  - i. Take the Civil Summons and Complaint to the Clerk's Office, Room 3725, when you file for recovery of personal property. The summons should include the most recent address of the Defendant and any other information that will help the sheriff's office locate him/her. These will be stamped and filed by the clerk. The Clerk's office may deliver the documents to the sheriff for you. Sometimes, you must take the stamped documents (Summons and Complaint) and the \$30 payment to the sheriff (700 East Fourth St. Charlotte, NC 28202). In either case, be sure to keep a copy of these documents.
  - ii. After delivering these documents to the sheriff, he/she will keep a copy of the summons detailing how the Complaint and Summons were delivered to the Defendant. The sheriff's deputy will then file this information with the clerk of court.
  - iii. In order to find out if the sheriff was successful or unsuccessful in attempting to serve the Defendant, you must check *in person* with the Clerk of Court (Room 3725). You may also call the Mecklenburg Sheriff's Office at 704-336-2543 to determine if service was successful.

## b. If Defendant DOES NOT live in Mecklenburg County or North Carolina:

- i. If the Defendant does not live in Mecklenburg County or North Carolina, you must mail or deliver the Summons and Complaint to the sheriff in the county where he/she is located. The Summons should include the most recent address of the Defendant and any other information that will help the sheriff's office locate him/her. You should include a certified check or money order for the fee for service made payable to the sheriff of that county. Contact the sheriff's office in the county where the Defendant is located to determine the fees and process associated with service of process.
- ii. If you wish to send your paperwork to the sheriff's office to be served, you should send it by certified mail return receipt requested to provide evidence that your service request was received.
- iii. In order to find out if the sheriff was successful or unsuccessful in attempting to serve the Defendant, you must check *in person* with the clerk of court (Room 3725). You may also be able to contact the sheriff's office over the phone to confirm whether or not service was successful.

## II. Service of Process by Certified or Registered Mail

a. If you are unsuccessful with service of process by Sheriff your next option is Service of Process by certified or registered mail. Service of Process by Registered or Certified Mail can be completed within the state and outside of the state, but within the US (please consult with an attorney if the Defendant is in the military or lives in another country) by mailing a copy of the Summons and Complaint by registered or certified mail, return receipt requested, addressed to the Defendant and delivered to his/her address (or the address of the location where he/she can be contacted by mail). A postal worker can help you fill out the necessary forms registered or certified mailing. If you choose this type of service, you must file an Affidavit of Service of Process by Certified or Registered Mail

when you receive the return receipt (the "green card"). You must attach the original return receipt to your affidavit.

b. The Affidavit of Service must be taken to and signed in the presence of a Notary Public.

# **Step Five:** Attendance

Be sure to attend all schedule court events on time and dressed appropriately (as if you were going to a job interview). This is very important.

Lawyer Referral Services: Mecklenburg County Bar Lawyer Referral Service: (704) 375-0120 or www.meckbar.org North Carolina Lawyer Referral Service: (800) 662-7660

File No.	STATE OF NORTH CAROLINA		
	County	In The District (	In The General Court Of Justice District Court Division-Small Claims
FOR MONEY OWER	1. The defendant is a resident of the county named above.	ned above.	
	2. The defendant owes me the amount listed for the following reason:	r the following reason:	
G.S. 7A-216, 7A-232 Name And Address Of Plaintiff		Principal Amount Owed	89
		Interest Owed (if any)	89
		Total Amount Owed	69
	(check one below)		
County Telephone No.	On An Account (attach a copy of the account)	Date From Which Interest Due	Interest Rate
VERSUS Name And Address Of Defendant 1	For Goods Sold And Delivered Between	Beginning Date Ending Date	Interest Rate
	☐ For Money Lent	Date From Which Interest Due	Interest Rate
	On a Promissory Note (attach copy)	Date Of Note Date From Which Interest Due	Interest Due Interest Rate
	For a Worthless Check (attach a copy of the check)		
County Telephone No.	For conversion (describe property)		
Name And Address Of Defendant 2 Individual Corporation			
	Other: (specify)		
County Telephone No.			
Name And Address Of Plaintiff's Attorney			
	I demand to recover the total amount listed above, plus interest and reimbursement for court costs.	e, plus interest and reimbursem	nent for court costs.
	Date Name Of Plaintiff Or Attorney (Type Or Print)	Print) Signature Of Plaintiff Or Attorney	г Ог Ацотеу
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ORE YOU COME TO COURT

- The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
- 2. The PLAINTIFF cannot sue in small claims court for more than \$10,000.00. This amount may be lower, depending on local judicial order. If the amount is lower, it may be any amount between \$5,000.00 and \$10,000.00, as determined by the chief district court judge of the judicial district.
- 3. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue the owner.
- 4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
- 5. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is entered in favor of the plaintiff, court costs may be charged against the defendant.

- 6. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
- Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
- 8. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is rendered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is rendered.
- This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims.
- 10. The Clerk or magistrate cannot advise you about your case or assist you in completing this form. If you have any questions, you should consult an attorney.

File No.	STATE OF NORTH CAROLINA			
	County		In The General Court Of Justice District Court Division-Small Claims	Sourt Of Justice ion-Small Claims
COMPLAIN I	1. The defendant is a resident of the county named above.	ned above.		
	2. The defendant owes me the amount listed for the following reason:	r the following reason		
G.S. 7A-216, 7A-232 Name And Address Of Plaintiff		Principal Amount Owed	Owed \$	
		Interest Owed (if any)	ny) \$	
		Total Amount Owed	pe ed	
	(check one below)			
County Telephone No.	On An Account (attach a copy of the account)	Date From Which Interest Due	16	Interest Rate
VERSUS Name And Address Of Defendant 1 Individual Corporation	For Goods Sold And Delivered Between	Beginning Date	Ending Date	Interest Rate
	☐ For Money Lent	Date From Which Interest Due	16	Interest Rate
	☐ On a Promissory Note (attach copy)	Date Of Note   Da	Date From Which Interest Due	Interest Rate
County	For a Worthless Check (attach a copy of the check)			
	For conversion (describe property)			
Name And Address Of Defendant 2 Individual Corporation				
	Other: (specify)			
County Telephone No.				
Name And Address Of Plaintiff's Attorney				
	I demand to recover the total amount listed above, plus interest and reimbursement for court costs.	e, plus interest and re	imbursement for cou	rt costs.
	Date Name Of Plaintiff Or Attorney (Type Or Print)		Signature Of Plaintiff Or Attorney	

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ELECTRONIC EVIDENCE IS <u>NOT ACCOMED IN SUMALL CLARABONE</u> SENT ALL EVIDENCE BEFORE YOU COME TO COURT

- The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
- The PLAINTIFF cannot sue in small claims court for more than \$10,000.00.
   This amount may be lower, depending on local judicial order. If the amount is lower, it may be any amount between \$5,000.00 and \$10,000.00, as determined by the chief district court judge of the judicial district.
- 3. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue the owner.
- 4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
- The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is entered in favor of the plaintiff, court costs may be charged against the defendant.

- 6. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
- Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
- 8. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is rendered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is rendered.
- This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims.
- 10. The Clerk or magistrate cannot advise you about your case or assist you in completing this form. If you have any questions, you should consult an attorney.

rile No.	STATE OF NORTH CAROLINA		
THE TOWOO	County	In The General Court Of Justice District Court Division-Small Claims	tice laims
FOR MONEY OWED	1. The defendant is a resident of the county named above.	med above.	
	2. The defendant owes me the amount listed for the following reason:	r the following reason:	
G.S. 7A-216, 7A-232 Name And Address Of Plaintiff		Principal Amount Owed	
		Interest Owed (if any)	***************************************
		Total Amount Owed	
	(check one below)		
County Telephone No.	On An Account (attach a copy of the account)	Date From Which Interest Due	
VERSUS Name And Address Of Defendant 1 Individual Corporation	☐ For Goods Sold And Delivered Between	Beginning Date Interest Rate	
	☐ For Money Lent	Date From Which Interest Due	
	☐ On a Promissory Note (attach copy)	Date Of Note Date From Which Interest Due Interest Rate	
County Talenhone No	For a Worthless Check (attach a copy of the check)		
	For conversion (describe property)		The same of the sa
Vame And Address Of Defendant 2 Individual Corporation			
			,
	Other: (specify)		
County Telephone No.			
Vame And Address Of Plaintiff's Attorney			
	I demand to recover the total amount listed abov	I demand to recover the total amount listed above, plus interest and reimbursement for court costs.	
	Date Of Plaintiff Or Attorney (Type Or Print)	Print) Signature Of Plaintiff Or Attorney	
	(Over)		

ELECTRONIC EVIDENCE IS <u>NOT ACCEPTED IN SNALL CLARICOURS</u>

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- The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
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   This amount may be lower, depending on local judicial order. If the amount is lower, it may be any amount between \$5,000.00 and \$10,000.00, as determined by the chief district court judge of the judicial district.
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- 4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
- 5. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is entered in favor of the plaintiff, court costs may be charged against the defendant.

- 6. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
- Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
- 8. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is rendered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is rendered.
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File No.	STATE OF NORTH CAROLINA			
	County		In The General Court Of Justice District Court Division-Small Claims	ourt Of Justice ion-Small Claims
FOW MONTHAIN	1. The defendant is a resident of the county named above.	med above.		
	2. The defendant owes me the amount listed for the following reason:	r the following reasor	2	
G.S. 7A-216, 7A-232 Name And Address Of Plaintiff		Principal Amount Owed	Owed \$	
		Interest Owed (if any)	any)	
•		Total Amount Owed	\$ pe	
	(check one below)			4 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
County Telephone No.	On An Account (attach a copy of the account)	Date From Which Interest Due	ne	Interest Rate
VERSUS Vame And Address Of Defendant 1 Individual Corporation	☐ For Goods Sold And Delivered Between	Beginning Date	Ending Date	Interest Rate
	☐ For Money Lent	Date From Which Interest Due	ue	Interest Rate
	☐ On a Promissory Note (attach copy)	Date Of Note De	Date From Which Interest Due	Interest Rate
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	For conversion (describe property)			The second secon
Vame And Address Of Defendant 2 Individual Corporation				
	Other: (specify)			
County Telephone No. Name And Address Of Plaintiff's Attorney				
•	I demand to recover the total amount listed above, plus interest and reimbursement for court costs.	e, plus interest and re	simbursement for cou	t costs.
	Date Name Of Plaintiff Or Attorney (Type Or Print)		Signature Of Plaintiff Or Attorney	

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File No.	STATE OF NORTH CAROLINA			
	County	In Distr	In The General Court Of Justice District Court Division-Small Claims	S
FOR MONEY OWED	1. The defendant is a resident of the county named above.			
	2. The defendant owes me the amount listed for the following reason:	r the following reason:		
G.S. 7A-216, 7A-232			•	
Vame And Address Of Plaintiff		Principal Amount Owed	es A	
		Interest Owed (if any)	\$	
		Total Amount Owed	\$	
	(check one below)			
rounty relephone No.	On An Account (attach a copy of the account)	Date From Which Interest Due	Interest Rate	
VERSUS lame And Address Of Defendant 1 Individual Corporation	☐ For Goods Sold And Delivered Between	Beginning Date Ending Date	nate Interest Rate	
	☐ For Money Lent	Date From Which Interest Due	Interest Rate	
	☐ On a Promissory Note (attach copy)	Date Of Note Date From W	Date From Which Interest Due Interest Rate	
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	Other: (specify)			
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ame And Address Of Plaintiff's Attorney				
	I demand to recover the total amount listed above, plus interest and reimbursement for court costs.	e, plus interest and reimburs	ement for court costs.	1
2	Date Name Of Plaintiff Or Attorney (Type Or Print)	Print) Signature Of Plaintiff Or Attorney	intiff Or Attorney	
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In The General Court Of Justice District Court Division - Small Claims  MAGISTRATE SUMMONS
MAGISTRATE SUMMONS
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☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)
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G.S. 1A-1, Rule 4; 7A-217, -232 te Original Summons Issued
te(s) Subsequent Summons(es) Issued
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ephone No. Of Defendant 2
are legal documents, DO NOT throw these papers out! se as soon as possible, and, if needed, speak with ese papers!  en su contra! Estos papeles son documentos legales.  s posible acerca de su caso y, de ser necesario, hablar stos documentos!
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ne, and location of trial listed below. You will have the opportunity applaint.
of the Clerk of Superior Court at any time before the time set for
may enter a judgment against you.
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Issued
ature .
Deputy CSC Assistant CSC Clerk Of Superior Court

			RE	TURN C	F SERVICE	
I certify that this s	summons an	d a copy of the	complaint we	re receive	ed and served as fo	ollows:
				DEFEN	IDANT 1	
Date Served		Time Served	АМ	□РМ	Name Of Defendant	
☐ By delivering	to the defen	dant named abo	ove a copy of	the summ	nons and complain	ıt.
By leaving a	copy of the s	summons and co	omplaint at the	e dwelling	*	ace of abode of the defendant named above with a
	=		-			summons and complaint to the person named
Name And Address Of F	Person With Wh	om Copy Left (if cor	poration, give title	of person c	opy left with)	
	,					
Other manner	of service (	specify)				
☐ Defendant WA	S NOT serv	red for the follow	ving reason:	***************************************	-	*
				DEFEN		
Date Served		Time Served	МА	□РМ	Name Of Defendant	
By delivering to	o the defend	lant named abo	ve a copy of t	he summ	ons and complaint	
By leaving a co	opy of the su		mplaint at the	dwelling	hoùse or usual pla	ace of abode of the defendant named above with a
	-		-			summons and complaint to the person named
Name And Address Of Po	erson With Who	m Copy Left (if corp	oration, give title	of person co	py left with)	
			······································	····		
Other manner	of service (s	pecify)				
		1 C 1 C 1	***************************************			
Defendant WA	S NOT serve	ed for the follow	ing reason:			
	Servic	e was made by	mailing by firs	st class m	ail a copy of the su	ummons and complaint to the defendant(s) and
FOR USE IN SUMMARY	by pos				laint at the followir	ng premises:
EJECTMENT	Date Served		wame(s) Or the	Derendant(s	) Served By Posting	
CASES ONLY:	Address Of Pr	emises Where Poste	ed			
Service Fee	<u> </u>	***************************************			Signature Of Deputy Sh	eriff Making Return
\$						-
Date Received				7	Name Of Deputy Sheriff	f Making Return (type or print)
Date Of Return	***************************************	***************************************			County Of Sheriff	

STATE OF NORTH CAROLINA	File No.
OTTLE OF WORTH OAROLINA	
County	In The General Court Of Justice District Court Division - Small Claims
Plaintiff(s)	
	MAGISTRATE SUMMONS
	☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)
VERSUS	G.S. 1A-1, Rule 4; 7A-217, -232
Defendant(s)	Date Original Summons Issued
	Date(s) Subsequent Summons(es) Issued
то	то
Name And Address Of Defendant 1	Name And Address Of Defendant 2
Telephone No. Of Defendant 1	
нејерпопе мо. От ретепдалт 1	Telephone No. Of Defendant 2
You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proci¡NO TIRE estos papeles!	eso civil en su contra! Estos papeles son documentos legales. lo antes posible acerca de su caso y, de ser necesario, hablar
A Small Claim Action Has Been Commenced Against You!	
You are notified to appear before the magistrate at the specified at the trial to defend yourself against the claim stated in the atta	d date, time, and location of trial listed below. You will have the opportunity ached complaint.
You may file a written answer, making defense to the claim, in t trial.	he office of the Clerk of Superior Court at any time before the time set for
If you fail to appear and defend against the proof offered, the m	agistrate may enter a judgment against you.
ale Of Trial Time Of Trial AM P	Location Of Court
ame And Address Of Plaintiff Or Plaintiff's Attorney	Date Issued
	Signature
	Deputy CSC Assistant CSC Clerk Of Superior Court

			RE	ETURN C	OF SERVICE	
I certify that this s	summons an	d a copy of the co	mplaint we	re receive	ed and served as fol	llows:
				DEFEN	IDANT 1	
Date Served		Time Served	МА	□РМ	Name Of Defendant	
☐ By delivering	to the defen	dant named abov	e a copy of	the summ	nons and complaint	
		ummons and cond d discretion then r				ce of abode of the defendant named above with a
As the defend below.	lant is a corp	oration, service v	vas effected	by delive	ering a copy of the s	ummons and complaint to the person named
Name And Address Of I	Person With Wh	om Copy Left (if corpo	ration, give title	of person c	opy left with)	
	f.					
Other manner	of service (s	specify)				
Defendant WA	S NOT serv	ed for the followir	ng reason:		· · · · · · · · · · · · · · · · · · ·	
Asserved			· · · · · · · · · · · · · · · · · · ·			
· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·		***************************************	
Date Served		Time Const		DEFEN		
		Time Served	АМ	□РМ	Name Of Defendant	
By delivering t	o the defend	ant named above	a copy of t	he summ	ons and complaint.	
		mmons and com				e of abode of the defendant named above with a
**********	_		_	-		ummons and complaint to the person named
below.						· ·
Name And Address Of Pi	erson with who	m Copy Leπ (II corpora	ation, give title	ot person co	py left with)	
Other manner	of service (s <sub>i</sub>	pecify)				
☐ Defendant WA	S NOT serve	ed for the following	reason:			7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-
			g			
	T					
FOR USE IN					ail a copy of the sur laint at the following	mmons and complaint to the defendant(s) and
SUMMARY	Date Served				s) Served By Posting	
EJECTMENT CASES ONLY:	Address Of Pro	emises Where Posted				
Service Fee					Signature Of Deputy She	riff Making Return
\$						
Date Received				1	Name Of Deputy Sheriff N	Making Return (type or print)
Pate Of Return					County Of Sheriff	

STATE OF NORTH CAROLINA	File No.
County	In The General Court Of Justice District Court Division - Small Claims
Plaintiff(s)	
	MAGISTRATE SUMMONS  ☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)
VERSUS	G.S. 1A-1, Rule 4; 7A-217, -232
Defendant(s)	Date Original Summons Issued
	Date(s) Subsequent Summons(es) Issued
то	то
Name And Address Of Defendant 1	Name And Address Of Defendant 2
•	
Telephone No. Of Defendant 1  IMPORTANT! You have been sued! These	Telephone No. Of Defendant 2  papers are legal documents. DO NOT throw these papers out!
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr	e papers are legal documents, DO NOT throw these papers out!  s your case as soon as possible, and, if needed, speak with inslate these papers!  seso civil en su contra! Estos papeles son documentos legales.  lo lo antes posible acerca de su caso y, de ser necesario, hablar
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can trar ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr	e papers are legal documents, DO NOT throw these papers out!  t your case as soon as possible, and, if needed, speak with inslate these papers!  teso civil en su contra! Estos papeles son documentos legales.  to lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can trar ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr	e papers are legal documents, DO NOT throw these papers out!  s your case as soon as possible, and, if needed, speak with inslate these papers!  seso civil en su contra! Estos papeles son documentos legales.  lo lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  d date, time, and location of trial listed below. You will have the opportunity
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the attack.	e papers are legal documents, DO NOT throw these papers out!  s your case as soon as possible, and, if needed, speak with inslate these papers!  seso civil en su contra! Estos papeles son documentos legales.  lo lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  d date, time, and location of trial listed below. You will have the opportunity
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the atta	e papers are legal documents, DO NOT throw these papers out! It your case as soon as possible, and, if needed, speak with Inslate these papers! It is so civil en su contra! Estos papeles son documentos legales. It is lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  Indicate the documentos documentos de date, time, and location of trial listed below. You will have the opportunity ached complaint.  In the office of the Clerk of Superior Court at any time before the time set for
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the attation may file a written answer, making defense to the claim, in the trial.	e papers are legal documents, DO NOT throw these papers out!  a your case as soon as possible, and, if needed, speak with inslate these papers!  eso civil en su contra! Estos papeles son documentos legales.  I lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  I d date, time, and location of trial listed below. You will have the opportunity ached complaint.  The office of the Clerk of Superior Court at any time before the time set for magistrate may enter a judgment against you.  Location Of Court
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can trar ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the attact You may file a written answer, making defense to the claim, in the trial.  If you fail to appear and defend against the proof offered, the magnetic of Trial Time Of Trial AM P	e papers are legal documents, DO NOT throw these papers out!  a your case as soon as possible, and, if needed, speak with inslate these papers!  eso civil en su contra! Estos papeles son documentos legales.  I lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  I d date, time, and location of trial listed below. You will have the opportunity ached complaint.  The office of the Clerk of Superior Court at any time before the time set for magistrate may enter a judgment against you.  Location Of Court
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can trar ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the attact You may file a written answer, making defense to the claim, in the trial.  If you fail to appear and defend against the proof offered, the magnetic of Trial Time Of Trial AM P	e papers are legal documents, DO NOT throw these papers out!  is your case as soon as possible, and, if needed, speak with inslate these papers!  seso civil en su contra! Estos papeles son documentos legales.  It is to antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  In didate, time, and location of trial listed below. You will have the opportunity ached complaint.  It is papers are legal documents, DO NOT throw these papers out!  It is your case as soon as possible, and, if needed, speak with needed,
IMPORTANT! You have been sued! These You may want to talk with a lawyer about someone who reads English and can tran ¡IMPORTANTE! ¡Se ha entablado un proc ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado con alguien que lea inglés y que pueda tr A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specifier at the trial to defend yourself against the claim stated in the attation was file a written answer, making defense to the claim, in the trial.  If you fail to appear and defend against the proof offered, the magnetic of Trial Time Of Trial	e papers are legal documents, DO NOT throw these papers out!  e your case as soon as possible, and, if needed, speak with inslate these papers!  eso civil en su contra! Estos papeles son documentos legales.  lo lo antes posible acerca de su caso y, de ser necesario, hablar raducir estos documentos!  d date, time, and location of trial listed below. You will have the opportunity ached complaint.  the office of the Clerk of Superior Court at any time before the time set for nagistrate may enter a judgment against you.  Location Of Court

		RETURN	OF SERVICE	
I certify that this s	ummons and a copy of the	ne complaint were rece	ived and served as	follows:
***************************************		DEFI	ENDANT 1	
Date Served	Time Served	AM PN	Name Of Defendant	
By delivering	to the defendant named a	above a copy of the sur	nmons and complai	nt.
	opy of the summons and able age and discretion the			place of abode of the defendant named above with a
As the defend below.	ant is a corporation, serv	ice was effected by del	ivering a copy of the	e summons and complaint to the person named
Name And Address Of F	Person With Whom Copy Left (if	corporation, give title of perso	n copy left with)	
Other manner	of service (specify)			
☐ Defendant WA	S NOT served for the fol	lowing reason:		•
		DEFE	NDANT 2	
Date Served	Time Served	АМ РМ	Name Of Defendant	
By delivering to	the defendant named a	bove a copy of the sum	nmons and complair	nt.
By leaving a co		complaint at the dwelling	ng house or usual pl	lace of abode of the defendant named above with a
As the defenda	ant is a corporation, servi	ce was effected by deli	vering a copy of the	summons and complaint to the person named
Name And Address Of Po	erson With Whom Copy Left (if o	corporation, give title of persor	copy left with)	3
Other manner	of service (specify)			
	or derivide (openity)			
Defendant WA	S NOT served for the follo	owing reason:		
FOD HEE IN				summons and complaint to the defendant(s) and
FOR USE IN SUMMARY	Date Served	of the summons and con Name(s) Of The Defenda		ing premises:
EJECTMENT				
CASES ONLY:	Address Of Premises Where P	osted		
Service Fee	L		Signature Of Deputy S	Sheriff Making Return
Date Received			Name Of Deputy Sher	iff Making Return (type or print)
Date Of Return			County Of Sheriff	
one of Netalli			Journy Of Sherin	

STATE OF NORTH	CAROLINA	***************************************	File No.	
	County		In The General Court Of Justic District Court Division - Small Cla	
Plaintiff(s)				
			MAGISTRATE SUMMONS  ALIAS AND PLURIES SUMMONS (ASSESS)	FEE)
VER	SUS		G.S. 1A-1, Rule 4; 7 <i>A</i>	\217 . 222
Defendant(s)			Date Original Summons Issued	<u>-217, -232</u>
			Date(s) Subsequent Summons(es) Issued	
ТО			ТО	w
Name And Address Of Defendant 1		***************************************	Name And Address Of Defendant 2	***************************************
Telephone No. Of Defendant 1			Telephone No. Of Defendant 2	
You may want to someone who rea iMPORTANTE! is iNO TIRE estos p iPuede querer co	talk with a lawyer al ads English and can Se ha entablado un p apeles! nsultar con un aboo	bout you translat proceso gado lo a	pers are legal documents, DO NOT throw these papers are legal documents, DO NOT throw these papers are case as soon as possible, and, if needed, speak with these papers!  civil en su contra! Estos papeles son documentos legantes posible acerca de su caso y, de ser necesario, acir estos documentos!	ith egales.
A Small Claim Action Has Been	Commenced Against	You!	•	
	ne magistrate at the spe	ecified date	te, time, and location of trial listed below. You will have the opp d complaint.	ortunity
You may file a written answer, mak trial.	ing defense to the clain	n, in the of	ffice of the Clerk of Superior Court at any time before the time	set for
If you fail to appear and defend aga	ainst the proof offered,	the magist	trate may enter a judgment against you.	
ate Of Trial	Time Of Trial		Location Of Court	
ame And Address Of Plaintiff Or Plaintiff's Al	Torney AM	РМ	Date Issued	
			But Asset	
			Signature	***************************************
			Deputy CSC Assistant CSC Clerk Of Superi	or Court

		RETUR	RN OF SERVICE	
I certify that this	summons and a copy of the	enterpresson (const.)		ollows:
		DE	FENDANT 1	
Date Served	Time Served	AM	Name Of Defendant	
☐ By delivering	to the defendant named at	pove a copy of the s	ummons and complair	nt.
By leaving a person of sui	copy of the summons and o	complaint at the dwe en residing therein, v	elling house or usual pl who is named below.	ace of abode of the defendant named above with
As the defended	dant is a corporation, servic	e was effected by d	elivering a copy of the	summons and complaint to the person named
Name And Address Of	Person With Whom Copy Left (if co	orporation, give title of per	son copy left with)	
Other manne	r of service (specify)			
☐ Defendant W	AS NOT served for the follo	wing reason:		
	to tvo i served for the follo	wing reason.	•	·
D-1- C1		DEF	ENDANT 2	
Date Served	Time Served	AM P	Name Of Defendant	
By delivering	to the defendant named abo	ove a copy of the su	mmons and complaint	•
☐ By leaving a c	opy of the summons and co	omplaint at the dwell	ing house or usual pla	ice of abode of the defendant named above with a
person of suita	able age and discretion ther	n residing therein, w	ho is named below.	
below.	ant is a corporation, service	was effected by de	livering a copy of the s	summons and complaint to the person named
Name And Address Of P	erson With Whom Copy Left (if con	poration, give title of perso	on copy left with)	
				•
Other manner	of service (specify)			
one maine	of service (specify)			
☐ Defendant WA	S NOT served for the follow	/ing reason:		
	П С			
FOR USE IN	by posting a copy of t	mailing by first clas he summons and co	s mail a copy of the su emplaint at the followin	mmons and complaint to the defendant(s) and g premises:
SUMMARY EJECTMENT	Date Served	Name(s) Of The Defend	ant(s) Served By Posting	
CASES ONLY:	Address Of Premises Where Post	l ed		
ervice Fee			Signature Of Deputy Sho	eriff Making Return
ate Received			Name Of Deputy Sheriff	Making Return (type or print)
ate Of Return		TANDERS AND	County Of Sheriff	

STATE OF NORTH CAROLINA	File No.
County	In The General Court Of Justice District Court Division - Small Claims
Plaintiff(s)	
	MAGISTRATE SUMMONS  ALIAS AND PLURIES SUMMONS (ASSESS FEE)
VERSUS	
Defendant(s)	G.S. 1A-1, Rule 4; 7A-217, -23:  Date Original Summons Issued
	Date(s) Subsequent Summons(es) Issued
ТО	то
Name And Address Of Defendant 1	Name And Address Of Defendant 2
Telephone No. Of Defendant 1	Telephone No. Of Defendant 2
someone who reads English and can transl ilMPORTANTE! iSe ha entablado un proces ino Tire estos papeles!	o civil en su contra! Estos papeles son documentos legales.
A Small Claim Action Has Been Commenced Against You!	gon gotog godinemos.
	ate, time, and location of trial listed below. You will have the opportunity ed complaint.
You may file a written answer, making defense to the claim, in the rial.	office of the Clerk of Superior Court at any time before the time set for
f you fail to appear and defend against the proof offered, the magi	strate may enter a judgment against you.
ate Of Trial Time Of Trial AM PM	Location Of Court
ame And Address Of Plaintiff Or Plaintiff's Attorney	Date Issued
	Signature
	Signature
	Deputy CSC Assistant CSC Clerk Of Superior Court

		Licensia Angeles		······································	Macanage and an action of the control of the contro
		RE	TURN C	F SERVICE	
I certify that this s	summons and a copy of the	complaint were	e receive	d and served as f	follows:
DEFENDANT 1					
Date Served	Time Served	МА	□РМ	Name Of Defendant	
By delivering	to the defendant named ab	ove a copy of t	he summ	ons and complair	nt. <sub>.</sub>
	copy of the summons and cable age and discretion the				lace of abode of the defendant named above with a
As the defend below.	lant is a corporation, servic	e was effected	by delive	ring a copy of the	summons and complaint to the person named
Name And Address Of F	Person With Whom Copy Left (if co	rporation, give title	of person co	opy left with)	
Other manner	of service (specify)	- VIVIII II			
Defendant WA	AS NOT served for the follo	wing reason:		-	
		0			
			DEFENI	DANT 2	
Date Served	Time Served	Пам	□РМ	Name Of Defendant	
D. D. deliverine t					
	o the defendant named abo opy of the summons and co				t. ace of abode of the defendant named above with a
	ble age and discretion the				and a second of the description of above with a
	ant is a corporation, service	was effected b	y deliver	ing a copy of the	summons and complaint to the person named
below.	erson With Whom Copy Left (if con	noration give title o	f person cor	ny left with)	•
	orosin vita vitioni copy Este (ii con	poroziori, give zice o	, person cop	sy ien wing	
Other manner	of service (specify)				
	or corvice (opeany)				
☐ Defendant WA	S NOT served for the follow	ving reason:	***************************************		
Doio.idaii: WA	C C . C . C . C . C . C . C . C . C	ving roudon.			
					•
	Service was made by	mailing by first	t class ma	ail a copy of the s	ummons and complaint to the defendant(s) and
FOR USE IN	by posting a copy of	the summons a	nd compl	aint at the followi	
SUMMARY EJECTMENT	Date Served	Name(s) Of The D	Defendant(s,	) Served By Posting	
CASES ONLY:	Address Of Premises Where Pos	ted	***************************************		
Service Fee			S	Signature Of Deputy SI	heriff Making Return
) Date Received			^	lame Of Deputy Sheril	ff Making Return (type or print)
Date Of Return County Of Sheriff					
				• • • • • • • • • • • • • • • • • • • •	

STATE OF NORTH CAROLINA	File No.
County	In The General Court Of Justice District Court Division - Small Claims
Plaintiff(s)	
	MAGISTRATE SUMMONS  □ ALIAS AND PLURIES SUMMONS (ASSESS FEE)
VERSUS	
Defendant(s)	G.S. 1A-1, Rule 4; 7A-217, -232  Date Original Summons Issued
	Date Original Gammons issued
	Date(s) Subsequent Summons(es) Issued
то	то
Name And Address Of Defendant 1	Name And Address Of Defendant 2
	Telephone No. Of Defendant 2  papers are legal documents. DO NOT throw these papers out!
IMPORTANT! You have been sued! These programme You may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you may want to talk with a lawyer about you someone who reads English and can transport in IMPORTANTE! ¡Se ha entablado un proces ¡NO TIRE estos papeles! ¡Puede querer consultar con un abogado i	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar
IMPORTANT! You have been sued! These process You may want to talk with a lawyer about you may want to talk with a lawyer about you someone who reads English and can transplant in IMPORTANTE! is a entablado un processi. In Time in Importante	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar
IMPORTANT! You have been sued! These produced you may want to talk with a lawyer about you someone who reads English and can transplant important processing important processing in the second proc	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar ducir estos documentos!  date, time, and location of trial listed below. You will have the opportunity
IMPORTANT! You have been sued! These you may want to talk with a lawyer about you may want to talk with a lawyer about you may entered to talk with a lawyer about you may file a written answer, making defense to the claim, in the	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar ducir estos documentos!  date, time, and location of trial listed below. You will have the opportunity
IMPORTANT! You have been sued! These produced you may want to talk with a lawyer about you someone who reads English and can transplant in IMPORTANTE! is a entablado un processino TIRE estos papeles! in IPuede querer consultar con un abogado I con alguien que lea inglés y que pueda transplant A Small Claim Action Has Been Commenced Against You! You are notified to appear before the magistrate at the specified at the trial to defend yourself against the claim stated in the attact You may file a written answer, making defense to the claim, in the trial.	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar ducir estos documentos!  date, time, and location of trial listed below. You will have the opportunity ched complaint. e office of the Clerk of Superior Court at any time before the time set for
IMPORTANT! You have been sued! These property you may want to talk with a lawyer about you may want to talk with a lawyer about you may entered at the trial to defend yourself against the proof offered, the magnitude of the magnitude of the magnitude of the magnitude of the state of the sta	papers are legal documents, DO NOT throw these papers out! your case as soon as possible, and, if needed, speak with slate these papers! so civil en su contra! Estos papeles son documentos legales. o antes posible acerca de su caso y, de ser necesario, hablar ducir estos documentos!  date, time, and location of trial listed below. You will have the opportunity ched complaint. e office of the Clerk of Superior Court at any time before the time set for gistrate may enter a judgment against you.  Location Of Court
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			P. Control of Control		OF SERVICE	
I certify that this	summons ar	id a copy of the	complaint we	re receive	ed and served as	follows:
Date Served	-	Transaction		DEFEN	IDANT 1	
Date Served		Time Served	МА	□РМ	Name Of Defendant	
☐ By delivering	to the defen	dant named ab	ove a copy of	the sumn	nons and complai	nt.
By leaving a person of sui	copy of the s table age an	ummons and co	omplaint at the	e dwelling ein, who	house or usual p	place of abode of the defendant named above with a
l						summons and complaint to the person named
Name And Address Of	Person With Wh	om Copy Left (if cor	rporation, give title	of person c	opy left with)	
	:					
Other manner	r of service <i>(s</i>	specify)				
☐ Defendant W	AS NOT serv	ed for the follov	wing reason:			
	1011011	ed for the follow	wing reason.		•	•
				DEFEN	DANT 2	
Date Served		Time Served	ДАМ	□РМ	Name Of Defendant	
☐ By delivering t	to the defend	lant named aho	ve a copy of the	ne summ	ons and complain	+
					•	ace of abode of the defendant named above with a
person of suita	able age and	discretion then	residing there	in, who is	s named below.	
As the defendence below.	ant is a corpo	oration, service	was effected t	oy deliver	ing a copy of the	summons and complaint to the person named
Name And Address Of P	erson With Who	m Copy Left (if corp	oration, give title o	of person co	ρy left with)	
		**************************************			·	
Other manner	of service (s	pecify)				
	0.1107					
Defendant WA	S NOT serve	ed for the follow	ing reason:			
	Service	e was made by	mailing by firs	t class m	ail a copy of the s	ummons and complaint to the defendant(s) and
FOR USE IN	by pos	ting a copy of th	ne summons a	nd comp	aint at the followi	ng premises:
SUMMARY EJECTMENT	Date Served		Name(s) Of The L	Defendant(s	) Served By Posting	
CASES ONLY:	Address Of Pre	emises Where Poste	ed			
Service Fee				13	Signature Of Deputy SI	pariff Making Patum
3					or Deputy of	ioni moning rotati
ate Received			^	lame Of Deputy Sherit	f Making Return (type or print)	
Pate Of Return			· · · · · · · · · · · · · · · · · · ·		County Of Sheriff	

STATE OF NORTH CAROLINA	File No.
County	In The General Court Of Justice
Name And Address Of Plaintiff	SERVICEMEMBERS CIVIL RELIEF ACT
VERSUS	AFFIDAVIT
Name And Address Of Defendant	
NOTE, T. LUCK CO. L. C. S.	50 U.S.C. 3901 to 4043
· · · · · · · · · · · · · · · · · · ·	it is not a substitute for the certification that may be required by G.S. 45-21.12A
The results from my use of that website are attached (NOTE: The Servicemembers Civil Relief Act Website is a we certificates are not installed on your computer, you may experience the website. DoD security certificates were automatically added not expect security alerts to appear with this website after July includes the following advice: "Most web browsers don't come is for the user to install all of the DoD's public certificates in the	ps://scra.dmdc.osd.mil/) to determine the defendant's military status.  ps://scra.dmdc.osd.mil/) to determine the defendant's military status.  bisite maintained by the Department of Defense (DoD). If DoD security ence security alerts from your internet browser when you attempt to access d to the computers of all Judicial Branch users, such that these users should of 2015. As of June 22, 2016, the Servicemembers Civil Relief Act Website with the DoD certificates already installed. The best and most secure solution is web browser.") besite and the following facts support my statement as to the
Coast Guard; service as a member of the National Guard under a for a period of more than 30 consecutive days for purposes of resp	ce as a member of the United States Army, Navy, Air Force, Marine Corps, or call to active service authorized by the President or the Secretary of Defense conding to a national emergency; active service as a commissioned officer of eric Administration; any period of service during which a servicemember is lawful cause. 50 U.S.C. 3911(2).
SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME	Date
Date	Signature Of Affiant
Signature Of Person Authorized To Administer Oaths	Name Of Affiant (type or print)
Deputy CSC Assistant CSC Clerk Of Superior Court Magistrate  Date My Commission Expires	
NOTE TO COURT: Do not proceed to enter judgment in a non-crimina Servicemembers Civil Relief Act affidavit (whether is in military service, do not proceed to enter judgment in or her.	al case in which the defendant has not made an appearance until a on this form or not) has been filed, and if it appears that the defendant ment until such time that you have appointed an attorney to represent

(Over)

## Information About Servicemembers Civil Relief Act Affidavits

## 1. Plaintiff to file affidavit

In any civil action or proceeding, including any child custody proceeding, in which the defendant does not make an appearance, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

- (A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or
- (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

50 U.S.C. 3931(b)(1).

## 2. Appointment of attorney to represent defendant in military service

If in a civil action or proceeding in which the defendant does not make an appearance it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If an attorney appointed to represent a service member cannot locate the service member, actions by the attorney in the case shall not waive any defense of the service member or otherwise bind the service member. 50 U.S.C. 3931(b)(2). State funds are not available to pay attorneys appointed pursuant to the Servicemembers Civil Relief Act. To comply with the federal Violence Against Women Act and in consideration of G.S. 50B-2(a), 50C-2(b), and 50D-2(b), plaintiffs in Chapter 50B, Chapter 50C, and Chapter 50D proceedings should not be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. Plaintiffs in other types of actions and proceedings may be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. The allowance or disallowance of the ordering of costs will require a case-specific analysis.

## 3. Defendant's military status not ascertained by affidavit

If based upon the affidavits filed in such an action, the court is unable to determine whether the defendant is in military service, the court, before entering judgment, may require the plaintiff to file a bond in an amount approved by the court. If the defendant is later found to be in military service, the bond shall be available to indemnify the defendant against any loss or damage the defendant may suffer by reason of any judgment for the plaintiff against the defendant, should the judgment be set aside in whole or in part. The bond shall remain in effect until expiration of the time for appeal and setting aside of a judgment under applicable Federal or State law or regulation or under any applicable ordinance of a political subdivision of a State. The court may issue such orders or enter such judgments as the court determines necessary to protect the rights of the defendant under this Act. 50 U.S.C. 3931(b)(3).

## 4. Satisfaction of requirement for affidavit

The requirement for an affidavit above may be satisfied by a statement, declaration, verification, or certificate, in writing, subscribed and certified or declared to be true under penalty of perjury. 50 U.S.C. 3931(b)(4). The presiding judicial official will determine whether the submitted affidavit is sufficient.

## 5. Penalty for making or using false affidavit

A person who makes or uses an affidavit permitted under 50 U.S.C. 3931(b) (or a statement, declaration, verification, or certificate as authorized under 50 U.S.C. 3931(b)(4)) knowing it to be false, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both. 50 U.S.C. 3931(c).

## Information About Servicemembers Civil Relief Act Affidavits

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In any civil action or proceeding, including any child custody proceeding, in which the defendant does not make an appearance, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

- (A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or
- (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

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