

State of Indiana)
) SS:
County of Boone)

In the Boone Superior Court II

Cause No. _____

Plaintiff

VS

Defendant

Notice to Plaintiff

You are hereby notified that this case is set for trial before the court on _____, at
_____ .M. If you should fail to appear and present evidence, this cause will be
dismissed by the court.

Date: _____

Jessica J. Fouts
Clerk of Boone County

STATE OF INDIANA)
)
COUNTY OF BOONE)

CAUSE NO. _____

IN THE BOONE SUPERIOR COURT II

Plaintiff

Address

Phone

vs

Defendant

Address

Phone

NOTICE OF CLAIM TO DEFENDANT

1. You have been sued by Plaintiff in the above Court and a copy of the Claim is attached, or included here in.
2. You are to appear in the Boone Superior Court II, Court House, Lebanon, Indiana, for hearing/trial of said Claim on _____
3. Parties to this action may appear either in person or by attorney. Special rules apply to corporations. Check with Court Clerk.
4. You should bring to the hearing/trial all documents in your possession or under your control concerning the Claim
5. If you do not wish to dispute the Claim you may nonetheless appear for the purpose of allowing the Court to establish the method by which the Judgment shall be paid.
6. If you are unable to appear at the time or place designated in this notice, you should immediately contact the Court Reporter or Bailiff of this Court to notify them of that fact. They can be reached in person at Court or by calling (765) 482-6502, 8:00 o'clock A.M. to 4:00 o'clock P.M., Monday through Friday of each week.
7. A Default Judgment may be entered against you if you fail to appear for hearing/trial.
8. You may, not later than ten (10) days following service of this Notice demand a trial by jury, by filing an Affidavit showing there are questions of fact requiring a trial by jury, and specifying such facts, and stating that such is intended in good faith. Upon filing such demand and Affidavit, the case will be transferred to the Civil Docket. There may be additional court costs involved. The case then will lose its status as a Small Claim. Failure to file demand for trial by jury will result in waiver of trial by jury.

Dated: _____

Clerk, Boone Superior Court II

CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the date below stated that I mailed a copy of this Summons and a copy of the Complaint to the defendant, _____ by certified mail, requesting a return receipt, at the address furnished by the Plaintiff.

Dated: _____

Clerk, Boone Superior Court II

RETURN OF SERVICE OF SUMMONS

I hereby certify that I have served the within summons:

(1) By delivering a copy of the Summons and a copy of the Complaint to the Defendant, _____ on the _____ day of _____, _____.

(2) By leaving a copy of the summons and a copy of the Complaint at _____ the dwelling place of abode of the said Defendant, with person of suitable age and discretion residing therein, namely _____

Sheriff's Fees: _____

Additional _____

Sheriff of _____ County, Indiana

BY _____

AFFIDAVIT OF DEBT

Comes now affiant, and states:

I _____ am Plaintiff
(Name of Affiant) OR
 a designated full-time employee of _____ (Plaintiff).
(Name of Plaintiff)

I am of adult age and am fully authorized by Plaintiff to make the following representations. I am familiar with the record keeping practices of Plaintiff. The following representations are true according to documents kept in the normal course of Plaintiff's business and/or my personal knowledge:

Plaintiff:

is the original owner of this debt.
OR
 has obtained this debt from _____ and the original owner of this debt was _____.

_____, Defendant, has an unpaid balance of \$ _____ on account _____.
(Name of Defendant) (last 4 digits of number or id only)

That amount is due and owing to Plaintiff. This account was opened on _____. The last payment from Defendant was received on _____ in the amount of \$ _____.

The type of account is:

- Credit card account (i.e. Visa, Mastercard, Department Store, etc.)
List the name of the Company/Store issuing credit card: _____
- Account for utilities (i.e. telephone, electric, sewer, etc.)
- Medical bill account (i.e. doctor, dentist, hospital, etc.)
- Account for services (i.e. attorney fees, mechanic fees, etc.)
- Judgment issued by a court (a copy of the judgment is required to be attached)
- Other: (Please explain) _____

This account balance includes:

- Late fees in the amount of \$ _____ as of _____.
(Month, Day, Year)
- Other (Explain _____)
- Interest at a rate of _____ % beginning on _____.
(Month, Day, Year)

Plaintiff:

is seeking attorney's fees and additional evidence will be presented to the court prior to entry of judgment on attorney's fees.
OR
 is not seeking attorney's fees.

Plaintiff believes that defendant is not a minor or an incompetent individual.

If the defendant is an individual, plaintiff states and declares that:

Defendant is not on active military service. Plaintiff's statement that Defendant is not on active military service is based upon the following facts:

OR

Plaintiff is unable to determine whether or not Defendant is not on active military service military service.

("Active military service" includes fulltime duty in the military (including the National Guard and reserves) and, for members of the National Guard, service under a call to active service authorized by the President or Secretary of Defense. For further information, see the definition of "military service" in the Servicemembers Civil Relief Act, as amended, 50 U.S.C.A. Appx. § 521.)

I swear or affirm under the penalties of perjury that the foregoing representations are true.

Dated: _____ Signature of Affiant: _____

Boone Superior Court II

Bruce E. Petit
Judge

MARK X. SULLIVAN
Commissioner

AS OF JUNE 1, 2005, ANYONE FILING A NEW SMALL CLAIMS OR EJECTMENT MUST include a copy of the contract or lease agreement at the time of filing.

YES / NO Have you included a copy/copies of your contract or lease agreement? (1 FOR THE COURT and 1 FOR EACH DEFENDANT)

If NOT there will be NO distribution of the claim and NO Court date will be set until the Court receives a copy of the contract or lease agreement. Please submit a copy to the Court as quickly as possible.

_____ **No contract or lease agreement between the parties.**

If you have any further questions, please contact Superior Court II at (765) 482-6502.

Thank you.

**NOT FOR
PUBLIC ACCESS**

VITAL INFORMATION SHEET
(SMALL CLAIMS/CIVIL COURT FILINGS)

DESCRIBE DEFENDANT ONLY

FULL NAME _____ MALE/FEMALE (Circle One)

DATE OF BIRTH _____ SOCIAL SECURITY NUMBER _____

DRIVER'S LICENSE NUMBER _____

PHYSICAL DESCRIPTION OF THE DEFENDANT

HEIGHT _____ WEIGHT _____

HAIR COLOR _____ EYE COLOR _____

RACE _____

ANY DISTINGUISHING TRAITS: (SCARS, MUSTACHE, GLASSES, TATOOS, ETC.)

VEHICLE DESCRIPTION

MAKE _____ MODEL _____ YEAR _____

COLOR _____ PLATE NUMBER _____

ANY OTHER LOCATION WHERE DEFENDANT MIGHT BE EASILY LOCATED
(i.e. Job Location, etc.)

ANY OTHER INFORMATION THAT WILL HELP IN LOCATING DEFENDANT

_____(Initial here)_____ I UNDERSTAND THAT A BODY ATTACHMENT WILL NOT BE
ISSUED FOR THE DEFENDANT WITHOUT A SOCIAL SECURITY NUMBER AND A DATE
OF BIRTH.