

Clerk of the Decatur Circuit Court
150 Courthouse Square, Room 244
Greensburg, Indiana 47240
Phone: (812)663-8223
Email: clerk@decaturcounty.in.gov

Decatur Superior Court
Small Claims Division
150 Courthouse Square, Room 211
Greensburg, Indiana 47240
Magistrate Phone: (812) 222-3804

NOTICE OF CLAIM TO DEFENDANT FOR EVICTION, RENT DUE, AND DAMAGES

CASE NO. 16D01-_____-EV-_____

Fill in box completely:

vs.

SERVE TO:

Plaintiff's Name(s) _____

Defendant's Name(s) _____

DOB (s) _____

DOB(s) _____

Street and Number _____

Street and Number _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Telephone Number _____

Telephone Number _____

***Email** _____

***Email** _____

You (the Defendant) have been sued by the Plaintiff whose name appears above. This matter has been scheduled for an eviction trial on **Tuesday**, _____ in the Decatur Magistrate Courtroom located on the second floor of the Decatur County Courthouse at 150 Courthouse Square, Room 211, Greensburg, Indiana 47240.

The Plaintiff claims that you rented the property located at: _____
_____ (copy of written lease, if any, is attached). The Plaintiff seeks possession of that property and requests your eviction from that property, claiming that:

☐ your rent is past due in the amount of \$ _____; and/or

☐ you have violated the rental agreement as follows: _____

The Plaintiff demands possession of the above property and judgment against the Defendant for unpaid rent, damages, and the costs of this action.

The Plaintiff affirms that s/he has given the Defendant ten (10) days written notice to vacate the premises for non-payment of rent, by serving notice to the Defendant in person, or by delivering notice to a person residing at the premises, or by affixing a copy of the notice to a conspicuous part of the premises. (This provision applies only in non-payment of rent cases.)

Plaintiff's Signature

Date

SEE PAGE TWO FOR IMPORTANT INFORMATION CONCERNING THIS CLAIM

IMPORTANT INFORMATION CONCERNING THIS CLAIM

1. You may appear at the trial either in person or by an attorney. You should bring to the trial all documents in your possession or under your control concerning this claim. 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.
2. If you are unable to appear at the time or place designated in this notice, you may contact the Court Reporter of the Decatur Superior Court, 150 Courthouse Square, Room 219, Greensburg, Indiana 47240, (812) 663-8523, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you fail to appear for the trial, a judgment by default may be entered against you.
3. A defendant has the right to a trial by jury but must make a written request within ten (10) days of receipt of this Notice of Claim. Within ten (10) days after the request for a jury trial has been granted, the party requesting a jury trial shall pay the clerk the additional amount required by Indiana Code 33-28-3-7 (\$70.00) to transfer the case to the plenary docket; otherwise, the party requesting a jury trial shall be deemed to have waived the request. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties.
4. A copy of small claims manual provided as required by Small Claims Rule 13 is available upon your request at the office of the clerk of this court.

SHERIFF'S RETURN OF SERVICE OF NOTICE

I hereby certify that I have served the within notice:

- (1) by delivering on the ____ day of _____, 20 ____, a copy of this notice of claim of each of the within-named defendant(s) _____, or
- (2) By leaving on the ____ day of _____, 20 ____ for each of the within-named defendant(s) _____, a copy of the notice of claim at the respective dwelling(s), house(s) or usual place(s) of abode and by mailing a copy of the notice to the defendant(s) last known address.

Sheriff of _____ County, Indiana

By _____
Deputy