

STATE OF INDIANA
COUNTY OF RUSH

SS:

IN THE RUSH SUPERIOR COURT
CAUSE NO.

Plaintiff(s)

VS

Defendant(s)

ACTION FOR POSSESSION OF REAL ESTATE

Comes now the Plaintiff(s) and for claim against the Defendant(s), alleges and says:

1. That Plaintiff(s), as landlord, is entitled to immediate possession of the following described real estate in the County of Rush, State of Indiana, to wit: _____

2. That Defendant(s), as tenant, now hold(s) possession of said real estate without right and has unlawfully kept Plaintiff(s) out of possession thereof to Plaintiff(s)' damage in the sum of _____ Dollars.
3. That the costs of this action and attorney fees of _____ should be taxed against Defendant(s).

Wherefore, Plaintiff(s) prays for judgment for possession of said real estate, _____ Dollars in damages, _____ Dollars at attorney's fees for Plaintiff(s)' attorney, the costs of this action and for all other relief just and proper in the premises.

Plaintiff(s)

STATE OF INDIANA

IN THE RUSH SUPERIOR COURT

SS:

COUNTY OF RUSH

CAUSE NO.

Plaintiff(s)

VS

Defendant(s)

AFFIDAVIT FOR IMMEDIATE POSSESSION OF REAL ESTATE

Comes now _____ and being first duly sworn, states as follows:

1. The he/she/they is/are Plaintiff(s) in the above captioned cause.
2. That the Plaintiff(s) _____, is entitled to immediate possession of real estate described in Plaintiff(s) Action For Possession filed herein by virtue of _____

3. That the estimated value of said real estate is \$_____.
4. That the reserved rent of said real estate is \$_____ per month.
5. That the Defendant(s) hold possession of said real estate unlawfully and unlawfully retains possession thereof from Plaintiff(s).

Wherefore, Plaintiff(s) prays that a hearing be held upon the question of immediate possession of said real estate; that Plaintiff(s) be granted immediate possession of same; and that Plaintiff(s) thereafter have and hold possession of said real estate and that such further proceedings be had with reference to the possession of said real estate by law provided.

I/We affirm, under the penalties of perjury, that the foregoing representation(s) is/are true.

Plaintiff(s)

STATE OF INDIANA
COUNTY OF RUSH

SS:

IN THE RUSH SUPERIOR COURT
CAUSE NO.

Plaintiff(s)

VS

Defendant(s)

ORDER TO APPEAR AT HEARING ON
IMMEDIATE POSSESSION OF REAL ESTATE

Defendant(s) in the above-captioned cause is/are hereby ordered to appear on _____ at _____ .m. at the Rush Superior Courtroom at the Rush County Courthouse, Rushville, Indiana for the purpose of controverting Plaintiff(s) Affidavit of Immediate Possession of Real Estate, a copy of which is attached, or to otherwise show cause why an order for possession should not be issued and the property delivered to the Plaintiff(s).

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED the ____ day of _____, 20____.

BRIAN D. HILL, Judge
Rush Superior Court

Distribution:
Plaintiff(s)
Defendant(s)

Name

Street and Number

City

Telephone No. *Plaintiff*

Against

Name

Name *Defendant(s)*

NOTICE OF SMALL CLAIM

RUSH CIRCUIT/SUPERIOR COURT

101 East 2nd Street

Rushville, Indiana 46173

Telephone (765) 932-5451

Case No. _____

TO THE CLERK:

Please summon the defendant(s) to appear in court to answer this claim.

STATEMENT OF CLAIM

NOTE: IF CLAIM IS BASED UPON A DOCUMENT, A COPY MUST BE ATTACHED AND IF BASED ON AN ACCOUNT, AN ITEMIZED STATEMENT MUST BE ATTACHED.

WHEREFORE, PLAINTIFF asks judgment against defendant(s) for \$_____, plus interest from _____, 20__, at a rate of ___% and court costs.

PLAINTIFF SIGNATURE

NOTICE TO APPEAR

TO: (1) _____
Defendant

Street and Number

City

Telephone No.

(2) _____
Defendant

Street and Number

City

Telephone No.

You are to appear in the Assembly Room, 1st Floor, Rush County Courthouse, Rushville, Indiana for trial upon the Plaintiff's claim on the _____ day of _____, 20__, at _____ o'clock, __.M. You may appear in person or with your attorney. **If you do not appear at the time, on the date stated, default judgment may be entered against you for the amount asked by the Plaintiff.** If you do not wish to dispute plaintiff's claim, you may appear at the time and date above stated, for the purpose of allowing the court to establish the method by which the judgment shall be paid. You should bring all documents in your possession or under your control, which relate to the Plaintiff's claim. You may request a jury trial. You will waive your right to a jury trial, unless requested within ten (10) days after receipt of the notice of claim. If your jury trial request is granted, you must pay within ten (10) days the additional amount required by statute to transfer to plenary docket or your request will be deemed waived. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party. A small claim manual is available in Clerk's office. If you are unable to appear for trial or have questions, you may call the Court Clerk at the above number.

Rush Circuit/Superior Court Clerk

SMALL CLAIMS CERTIFICATE OF MAILING

I certify that on the ____ day of _____, 20____, I mailed a copy of this Notice of claim to each of the defendant(s) _____ by registered or certified mail requesting a return receipt signed by the addressee only, addressed to each of said defendant(s) _____ at the address(es) furnished by the plaintiff.

Dated this ____ day of _____, 20____.

Clerk Rush Circuit/Superior Court

RETURN OF SERVICE OF SUMMONS BY MAIL

I hereby certify that service of the Notice of Claim with return receipt requested was mailed on the ____ day of _____, 20____, and that a copy of the return receipt was received by me on the ____ day of _____, 20____, which copy is attached herewith.

Dated this ____ day of _____, 20____.

Clerk Rush Circuit/Superior Court

CERTIFICATE OF CLERK OF SUMMONS NOT ACCEPTED BY MAIL

I hereby certify that on the ____ day of _____, 20____, I mailed a copy of this summons and a copy of the complaint to the defendant(s) _____ by registered or certified mail, and the same was returned without acceptance this ____ day of _____, 20____, and I did deliver said notice of claim to the Sheriff of _____ County for service.

Dated this ____ day of _____, 20____.

Clerk Rush Circuit/Superior Court

RETURN OF NOTICE OF CLAIM

This Notice of Claim came to hand on the ____ day of _____, 20____, and I served the same on the ____ day of _____, 20____.

1. By delivering a copy of Notice of Claim personally to _____

2. By leaving a copy of Notice of Claim at _____
The dwelling or usual place of abode of defendant: _____

(Name of person)
and by mailing by first class mail a copy of the Notice of Claim on the ____ day of _____, 20____ to _____ his last known address.

3. By serving his agent as provided by rule, statute or valid agreement to wit: _____

4. Defendant cannot be found in my bailiwick and summons was not served.
And I now return this writ this ____ day of _____, 20____.

Fee \$ _____

Sheriff of _____ County