

**NOTICE OF SMALL CLAIM**

**PLAINTIFF(S)**

Name: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone No: \_\_\_\_\_

**HENRY CIRCUIT COURT NO. 3**  
1215 Race Street  
New Castle, IN 47362  
(765) 521-2554 or 529-6401

**DEFENDANT(S)**

**CAUSE NO**

Name: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone No: \_\_\_\_\_

Name: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone No: \_\_\_\_\_

**FOR IMMEDIATE POSSESSION OF REAL ESTATE PROPERTY**

**TO THE CLERK: PLEASE SUMMONS THE DEFENDANT(S) TO APPEAR IN COURT  
TO ANSWER THIS CLAIM.**

**STATEMENT OF CLAIM: FOR THE IMMEDIATE POSSESSION OF REAL ESTATE  
PROPERTY AND UNPAID RENT.**

Comes now the plaintiff, in the above entitled cause, and having filed his action and affidavit for the immediate possession, now asks the Court for the immediate possession of his rental property, to wit: \_\_\_\_\_ located at \_\_\_\_\_, New Castle, Indiana, in Henry County, which the plaintiff(s) rented to the defendant(s) for the consideration of \$\_\_\_\_\_ per month; and which the defendant(s) now holds the plaintiff without the payment of rent, therefore, \$\_\_\_\_\_ back rent due and owing plaintiff up to \_\_\_\_\_; and all accruing rent to date defendant(s) vacates the premises, at the rate of \$\_\_\_\_\_ per day, plus any damages to the premises beyond ordinary wear and tear, to be determined at the Final Hearing.

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Plaintiff(s)

IN THE HENRY CIRCUIT COURT NO. 3

VS

CAUSE NO.

\_\_\_\_\_  
Defendant(s)

**NOTICE TO APPEAR**

**T0:**

**Defendant:** \_\_\_\_\_

\_\_\_\_\_

**Street:** \_\_\_\_\_

\_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

\_\_\_\_\_

The Plaintiff asks judgment in this Court against you for the sum stated. You are to appear in the Henry Circuit Court No. 3 for a trial upon the Plaintiff's claim on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_. You may appear for the trial in person or you may appear with your attorney. You should bring to the trial all documents in your possession or under your control, which relate to the Plaintiff's claim. If you do not wish to dispute the Plaintiff's claim, you may appear at the time and date stated, for the purpose of assisting the Court in establishing the method by which you will be directed to pay the judgment. If you have questions concerning this matter, you may call the Court Bailiff. If you do not appear for trial at the time, on the date stated, a default judgment may be entered against you for the amount asked by Plaintiff.

\_\_\_\_\_  
Clerk, Henry Circuit Court No. 3

IN THE HENRY CIRCUIT COURT NO. 3

\_\_\_\_\_  
Plaintiff(s)

VS

CAUSE NO.

\_\_\_\_\_  
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 Henry, State of Indiana, to wit:  
  
\_\_\_\_\_.
2. That Defendant(s) as tenant, now holds 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 \$\_\_\_\_\_.
3. That the costs of this action should be taxed against Defendant(s).

WHEREFORE, Plaintiff(s) prays for judgment for possession of said real estate, \$\_\_\_\_\_ for back rent plus any rent accruing to the date the premises are vacated, any damages to the premises beyond ordinary wear and tear, to be determined at the Final Hearing, costs of this action and other relief just and proper in the premises.

\_\_\_\_\_  
Plaintiff

IN THE HENRY CIRCUIT COURT NO. 3

\_\_\_\_\_  
Plaintiff(s)

VS

CAUSE NO.

\_\_\_\_\_  
Defendant(s)

**AFFIDAVIT FOR IMMEDIATE POSSESSION OF REAL ESTATE**

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

1. That he/she is Plaintiff in the above-captioned cause.
2. That the Plaintiff, \_\_\_\_\_, is entitled to immediate possession of the real estate described in Plaintiff's Action of Real Estate filed by virtue of Non-Payment of Rent.
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 holds possession of said real estate unlawfully and unlawfully retains possession thereof from Plaintiff.

**WHEREOF, Plaintiff prays that a hearing be held upon the question of immediate possession of said real estate; that Plaintiff be granted immediate possession of same; and that plaintiff 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 as by law provided.**

**I affirm, under the penalties of perjury, that the foregoing representations are true.**

\_\_\_\_\_  
Plaintiff

IN THE HENRY CIRCUIT COURT NO. 3

\_\_\_\_\_  
Plaintiff(s)

Vs

CAUSE NO.

\_\_\_\_\_  
Defendant(s)

**ORDER TO APPEAR AT HEARING ON IMMEDIATE POSSESSION OF REAL ESTATE**

Defendant in the above-captioned cause are hereby ordered to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ at the Henry Circuit Court No. 3 located at 1215 Race St, New Castle, Indiana, for the purpose of controverting Plaintiff's Affidavit for Immediate Possession of Real Estate, a copy of which is attached, or to otherwise show cause why a prejudgment order for immediate possession should not be issued and the property delivered to the Plaintiff. You as Defendant may filed affidavits on your behalf at the time of the above-stated hearing. You may further file with the Court, a written undertaking to stay delivery of the property to the Plaintiff.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge, Henry Circuit Court No. 3