

IN THE LAGRANGE SUPERIOR COURT  
SMALL CLAIMS DIVISION  
COURTHOUSE, SUITE 2  
105 NORTH DETROIT STREET  
LAGRANGE, IN 46761  
CLERK: (260) 499-6375  
COURT: (260) 499-6363

CAUSE NO. 44D01-\_\_\_\_\_

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant

MOTION AND AFFIDAVIT FOR JUDGMENT BY DEFAULT

The Plaintiff moves for entry of judgment by default and states that:

1. Services of Notice of Claim was made under such circumstances as to establish a reasonable probability that the Defendant(s) received such notice.
2. Within the knowledge of the parties present, the Defendant(s) is not in the military service of the United States, not an incompetent, and not under legal disability and has sufficient understanding to realize the nature and effect of the Notice Of Claim.
3. The Defendant(s) has not appeared for Trial, answered the Notice of Claim or indicated he contests the claim.
4. I am entitled to judgment against the Defendant(s) in the amount of \$\_\_\_\_\_, and that no other setoffs or credits are due to Defendant(s).

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney/Plaintiff

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\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

ENTRY OF SMALL CLAIMS JUDGMENT BY DEFAULT

The Plaintiff(s) appears for trial in person (and by counsel). The Defendant(s) fail(s) to appear. The case is submitted to the Court. Evidence is heard and concluded. The Court now finds that:

1. Service of the Notice of Claim was made under such circumstances as to establish a reasonable probability that the Defendant(s) received such notice.
2. Within the knowledge of the parties present, the Defendant(s) is/are not in the military service of the United States, not an incompetent, and not under a legal disability and has sufficient understanding to realize the nature and effect of the Notice of Claim.
3. The Defendant(s) has/have not appeared for trial, answered the Notice of Claim or indicated he contests the Plaintiff's claim.
4. The Plaintiff(s) has/have a prima facie case.
5. The Court has jurisdiction of the parties and the subject matter of the Notice of Claim.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff is entitled to Judgment against the Defendant(s) in the amount of \$\_\_\_\_\_, plus Court Costs of \$\_\_ together with interest at the rate of 8% per annum from this date.

IT IS FURTHER ORDERED, that this judgment and costs is to be paid in full before \_\_\_\_\_ through the Clerk of this Court or directly to the Plaintiff.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Lisa M Bowen-Slaven, Judge  
LaGrange Superior Court