

Small Claims Forms

(These and other forms can be found at the www.nccourts.org webpage)

AOC-CVM-100	Magistrate Summons
AOC-CVM-200	Complaint for Money Owed
AOC-CVM-201	Complaint in Summary Ejectment
AOC-CVM-202	Complaint to Recover Possession of Personal Property
AOC-CVM-203	Complaint To Enforce Possessory Lien On Motor Vehicle
AOC-CVM-400	Judgment In Action To Recover Money Or Personal Property
AOC-CVM-401	Judgment In Action For Summary Ejectment
AOC-CVM-402	Judgment In Action On Possessory Lien On Motor
AOC-CV-415	Motion to Claim Exempt Property
AOC-G-108	Order

_____ County

In The General Court Of Justice
District Court Division - Small Claims

Plaintiff(s)

MAGISTRATE SUMMONS
 ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 7A-217, -232; 1A-1, Rule 4

VERSUS

Defendant(s)

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

TO:

TO:

Name And Address Of Defendant 1

Name And Address Of Defendant 2

A Small Claim Action Has Been Commenced Against You!

You are notified to appear before the magistrate at the specified date, time and location of trial listed below. You will have the opportunity at the trial to defend yourself against the claim stated in the attached complaint.

You may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court at any time before the time set for trial. Whether or not you file an answer, the plaintiff must prove the claim before the magistrate.

If you fail to appear and defend against the proof offered, the magistrate may enter a judgment against you.

<i>Date of Trial</i>	<i>Time Of Trial</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Location Of Court</i>
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<i>Name And Address Of Plaintiff Or Plaintiff's Attorney</i>	<i>Date Issued</i>
	<i>Signature</i>

Deputy CSC Assistant CSC Clerk Of Superior Court

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Defendant</i>
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- By delivering to the defendant named above a copy of the summons and complaint.
- By leaving a copy of summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copy Left (If Corporation, Give Title Of Person Copy Left With)

Other manner of service: *(specify)*.

Defendant WAS NOT served for the following reason:

DEFENDANT 2

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Defendant</i>
--------------------	---	--------------------------

- By delivering to the defendant named above a copy of the summons and complaint.
- By leaving a copy of summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copy Left (If Corporation, Give Title Of Person Copy Left With)

Other manner of service: *(specify)*.

Defendant WAS NOT served for the following reason:

FOR USE IN SUMMARY EJECTMENT CASES ONLY

Service was made by mailing by first class mail a copy of the summons and complaint to the defendant(s) and by posting a copy of the summons and complaint at the following premises.

<i>Date Served</i>	<i>Name(s) Of The Defendant(s) Served By Posting</i>
--------------------	--

Address Of Premises Where Posted

<i>Service Fee</i> \$	<i>Signature Of Deputy Sheriff Making Return</i>
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<i>Date Received</i>	<i>Name Of Sheriff (Type Or Print)</i>
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<i>Date Of Return</i>	<i>County Of Sheriff</i>
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File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District Court Division-Small Claims

County _____

COMPLAINT FOR MONEY OWED

G.S. 7A-216, 7A-232

Name And Address Of Plaintiff

County

Telephone No.

VERSUS

Name And Address Of Defendant 1

Telephone No.

Individual Corporation

Name And Address Of Defendant 2

Telephone No.

Individual Corporation

County

Telephone No.

Name And Address Of Plaintiff's Attorney

1. The defendant is a resident of the county named above.

2. The defendant owes me the amount listed for the following reason:

Principal Amount Owed	\$
Interest Owed (if any)	\$
Total Amount Owed	\$

(check one below)

On An Account (attach a copy of the account)

For Goods Sold And Delivered Between

For Money Lent

On a Promissory Note (attach copy)

For a Worthless Check (attach a copy of the check)

For conversion (describe property)

Other: (specify)

I demand to recover the total amount listed above, plus interest and reimbursement for court costs.

Date

Name Of Plaintiff Or Attorney (Type Or Print)

Signature Of Plaintiff Or Attorney

INSTRUCTIONS TO PLAINTIFF OR DEFENDANT

1. The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
2. The PLAINTIFF cannot sue in small claims court for more than \$5,000.00 excluding interest and costs.
3. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue the owner.
4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
5. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is entered in favor of the plaintiff, court costs may be charged against the defendant.
6. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
7. Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
8. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is rendered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is rendered.
9. This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims.
10. **The Clerk or magistrate cannot advise you about your case or assist you in completing this form. If you have any questions, you should consult an attorney.**

File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District Court Division-Small Claims

County

COMPLAINT IN SUMMARY EJECTMENT

G.S. 7A-216, 7A-232; Ch. 42, Art. 3 and 7

Name And Address Of Plaintiff

County

Telephone No.

VERSUS

Name And Address Of Defendant 1 Individual Corporation

County

Telephone No.

Name And Address Of Defendant 2 Individual Corporation

County

Telephone No.

Name And Address Of Plaintiff's Attorney Or Agent

1. The defendant is a resident of the county named above.

2. The defendant entered into possession of premises described below as a lessee of plaintiff.

Description Of Premises (Include Location)

Conventional
 Public Housing
 Section 8

Rate Of Rent \$ per Month Week Date Rent Due Date Lease Ended Type Of Lease Oral Written

3. The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.

The lease period ended on the above date and the defendant is holding over after the end of the lease period.

The defendant breached the condition of the lease described below for which re-entry is specified.

Criminal activity or other activity has occurred in violation of G. S. 42-63 as specified below.

Description Of Breach/Criminal Activity (give names, dates, places and illegal activity)

4. The plaintiff has demanded possession of the premises from the defendant, who has refused to surrender it, and the plaintiff is entitled to immediate possession.

5. The defendant owes the plaintiff the following:

Description Of Any Property Damage

Amount Of Damage (If Known) \$ Amount Of Rent Past Due \$ Total Amount Due \$

6. I demand to be put in possession of the premises and to recover the total amount listed above and daily rental until entry of judgment plus interest and reimbursement for court costs.

Date Name Of Plaintiff/Attorney/Agent (Type Or Print) Signature Of Plaintiff/Attorney/Agent

CERTIFICATION WHEN COMPLAINT SIGNED BY AGENT OF PLAINTIFF

I certify that I am an agent of the plaintiff and have actual knowledge of the facts alleged in this Complaint.

Date Name Of Agent (Type Or Print) Signature Of Agent

INSTRUCTIONS TO PLAINTIFF OR DEFENDANT

1. The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
2. The PLAINTIFF cannot sue in small claims court for more than \$5,000.00 excluding interest and costs.
3. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue the owner.
4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
5. In filling out number 3 in the complaint, if the landlord is seeking to remove the tenant for failure to pay rent when there is no written lease, the first block should be checked. (Defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the ten (10) day grace period before filing the complaint.) If the landlord is seeking to remove the tenant for failure to pay rent when there is a written lease with an automatic forfeiture clause, the third block should be checked. (The defendant breached the condition of the lease described below for which re-entry is specified.) And "failure to pay rent" should be placed in the space for description of the breach. If the landlord is seeking to evict tenant for violating some other condition in the lease, the third block should also be checked. If the landlord is claiming that the term of the lease has ended and the tenant refuses to leave, the second block should be checked. If the landlord is claiming that criminal activity occurred, the fourth block should be checked and the conduct must be described in space provided.
6. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is rendered in favor of the plaintiff, court costs may be charged against the defendant.
7. The PLAINTIFF must appear before the magistrate to prove his/her claim.
8. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
9. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is entered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is entered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is entered.
10. If the defendant appeals and wishes to remain on the premises the defendant must also post a stay of execution bond within ten (10) days after the judgment is entered.
11. This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims.
12. **The Clerk or magistrate cannot advise you about your case or assist you in completing this form. If you have any questions, you should consult an attorney.**

File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District Court Division-Small Claims

County _____

COMPLAINT TO RECOVER POSSESSION OF PERSONAL PROPERTY

- PLAINTIFF A SECURED PARTY
- PLAINTIFF NOT A SECURED PARTY

G.S. 7A-232; 25-9-609

Name And Address Of Plaintiff

Social Security No./Taxpayer ID No.

Telephone No.

County

VERSUS

Name And Address Of Defendant 1 Individual Corporation

Telephone No.

County

Name And Address Of Defendant 2 Individual Corporation

Telephone No.

County

Name And Address Of Plaintiff's Attorney

WHEN PLAINTIFF IS A SECURED PARTY

The defendant is a resident of the county named above. I have a security interest in the personal property described in the attached security agreement. The total current value of this property is as shown below. The defendant has defaulted in the payment of the debt which the property secures or has otherwise breached the terms of the security agreement giving me the right to claim immediate possession of the property described below. I demand recovery of this property and reimbursement for court costs.

Description Of Personal Property In Which You Have a Secured Interest (Attach Copy Of Security Agreement)

Total Value Of Property To Be Recovered

\$

Signature Of Plaintiff Or Attorney

Date

WHEN PLAINTIFF IS NOT A SECURED PARTY

The defendant is a resident of the county named above. The defendant has in his/her possession the personal property described below which belongs to me. I am entitled to immediate possession of the property, but the defendant has refused on demand to deliver it to me. The defendant has unlawfully kept possession of this property since the date listed below and has therefore deprived me of its use. The damage due me for the loss of use and physical damage to the property is set out below. I demand recovery of this property and damages in the total amount set out below, plus interest and reimbursement for court costs.

Description Of Personal Property You Own Which Is In Possession Of Defendant

Total Value Of Property To Be Recovered

\$

Date Defendant Wrongfully Took Or Kept Property

Damage Due For Loss Of Use

\$

Physical Damage To Property

\$

Total Amount Of Damages

\$

Name Of Plaintiff Or Attorney (Type Or Print)

Signature Of Plaintiff Or Attorney

Date

INSTRUCTIONS TO PLAINTIFF OR DEFENDANT

1. The PLAINTIFF must file a small claim action in the county where at least one of the defendants resides.
2. The PLAINTIFF cannot sue to recover property worth more than \$5,000.00.
3. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue the owner.
4. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must prepare and file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted.
5. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is rendered in favor of the plaintiff, court costs may be charged against the defendant.
6. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
7. Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
8. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is entered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is entered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is entered. A defendant who appeals also must post a bond to stay execution of the judgment within ten (10) days after the judgment is entered.
9. This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims.
10. The Clerk or magistrate cannot advise you about your case or assist you in completing this form. If you have any questions, you should consult an attorney.

File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District Court Division-Small Claims

County _____

COMPLAINT TO ENFORCE POSSESSORY LIEN ON MOTOR VEHICLE

G.S. 7A-211.1; 20-77(d), 44A-2(d), 44A-4(b)(e)

Name And Address Of Plaintiff

County

Telephone No.

VERSUS

Name And Address Of Defendant 1

County

Telephone No.

Name And Address Of Defendant 2

County

Telephone No.

Name And Address Of Plaintiff's Attorney

1. The lien claimed arose in the county named above.

2a. I repair, service, tow or store motor vehicles in the ordinary course of business.

b. I am an operator of a place of business for garaging or parking motor vehicles for the public and the motor vehicle listed below has remained unclaimed for at least 10 days.

c. I am a landowner on whose property the motor vehicle listed below has been abandoned for at least 30 days. The property was not left by a tenant. [G.S. 42-25.9(g); 44A-2(e2)]

3. I came into possession of the motor vehicle described on the date shown below, am in possession of the vehicle, and claim a possessory lien on this vehicle for the amounts indicated below plus storage at the rate indicated from this date until the lien is satisfied.

Make/Year Of Vehicle

ID Number

Repairs \$

Date Of Possession

Towing \$

Date Storage Began

Storage Cost to Date \$

Date Notice Of Unclaimed Vehicle Given

Vehicle Rental \$

(Plus Storage @ \$ Per Day Until Sold)

Total Lien Claimed To Date \$

4. The defendants are the registered owner of the vehicle and the known secured party(ies).

5. I gave notice of an unclaimed vehicle to the Division of Motor Vehicles on the date listed above.

6. I have given notice to the North Carolina Division of Motor Vehicles that a lien is asserted, and sale is proposed for the above described motor vehicle.

I demand that this Court declare the lien valid and enforceable by sale and order that the North Carolina Division of Motor Vehicles transfer title to the person who purchases at the sale upon proof that proper notice of sale has been given.

Date

Signature Of Plaintiff Or Attorney

INSTRUCTIONS TO PLAINTIFF OR DEFENDANT

1. Before filing this Complaint, you must have filed certain forms with the Division of Motor Vehicles. Contact your local Division of Motor Vehicles office.
2. The PLAINTIFF must file a small claim action in the county where the claim arose (i.e. where the motor vehicle was repaired, towed or stored).
3. The PLAINTIFF cannot sue in small claims court if the lien is for more than \$5,000.00.
4. The registered owner of the vehicle and any secured parties listed with the Division of Motor Vehicles must be made defendants in the case. The PLAINTIFF must show the complete name and address of the defendant to ensure service on the defendant. If there are two defendants and they reside at different addresses, the plaintiff must include both addresses. The plaintiff must determine if the defendant is a corporation and sue in the complete corporate name. If the business is not a corporation, the plaintiff must determine the owner's name and sue him/her.
5. The PLAINTIFF may serve the defendant(s) by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, addressed to the party to be served or by paying the costs to have the sheriff serve the summons and complaint. If certified or registered mail is used, the plaintiff must file a sworn statement with the Clerk of Superior Court proving service by certified mail and must attach to that statement the postal receipt showing that the letter was accepted. If the name or address of the vehicle owner cannot be determined, service by publication is authorized. In that case plaintiff may want to consult an attorney.
6. The PLAINTIFF must pay advance court costs at the time of filing this Complaint. In the event that judgment is rendered in favor of the plaintiff, court costs may be charged against the defendant.
7. The DEFENDANT may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court. This answer should be accompanied by a copy for the plaintiff and be filed no later than the time set for trial. The filing of the answer DOES NOT relieve the defendant of the need to appear before the magistrate to assert the defendant's defense.
8. Whether or not an answer is filed, the PLAINTIFF must appear before the magistrate.
9. The PLAINTIFF or the DEFENDANT may appeal the magistrate's decision in this case. To appeal, notice must be given in open court when the judgment is rendered, or notice may be given in writing to the Clerk of Superior Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties. The appealing party must PAY to the Clerk of Superior Court the costs of court for appeal within twenty (20) days after the judgment is rendered.

This form is supplied in order to expedite the handling of small claims. It is designed to cover the most common claims. Questions about the adequacy of this form or whether it is the appropriate form to be used should be addressed to an attorney.

STATE OF NORTH CAROLINA
 In The General Court Of Justice
 District Court Division-Small Claims
 _____ County

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

FINDINGS

The Court finds that:
 the plaintiff has proved the case by the greater weight of the evidence.
 the plaintiff has failed to prove the case by the greater weight of the evidence.
 the defendant(s) was was not present at trial.
 the case involves a breach of contract and the date of breach is: _____.
 the contract provides for pre-judgment interest on damages for breach at the rate of _____ % and/or post-judgment interest at the rate of _____ %.
 the contract does not provide a specific pre-judgment interest rate.
 the contract does not provide a specific post-judgment interest rate.
 Other: _____

ORDER

It is ORDERED that:
 the plaintiff recover possession of the personal property described in the complaint.
 the plaintiff recover possession of the personal property listed below:

the plaintiff recover nothing of the defendant(s) and that this action be dismissed with prejudice.
 (for breach of contract cases) the plaintiff recover of the defendant(s) the following principal sum plus interest on the principal from the date of breach to the date of judgment (1) at the rate provided in the contract, as found above; or (2) at the legal rate. In addition, the principal shall bear interest from the date of judgment until the judgment is satisfied (1) at the rate provided in the contract, as found above; or (2) at the legal rate.
 (for tort cases) the plaintiff recover of the defendant(s) the following principal sum, plus interest at the legal rate from the date the action was instituted until judgment is satisfied.
 Other: (specify) _____
 Costs of this action are taxed to the plaintiff. defendant.

(Name Of Judgment Debtor(s) From Whom Amount Recovered


Principal Sum Of Judgment \$ _____

Pre-judgment Interest Not Included \$ _____ Judgment Announced And Signed In Open Court
 In Principal

Date _____ Signature Of Magistrate

Attorney's Fees Or Other Damages \$ _____

(when appropriate)

TOTAL AMOUNT \$  \$ _____

CERTIFICATION

NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial. I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date _____ Signature Of Magistrate

File No. _____
 Film No. _____
 Judgment Docket Book And Page No. _____

**JUDGMENT
 IN ACTION TO RECOVER
 MONEY OR
 PERSONAL PROPERTY**

G.S. 7A-210(2), 7A-224

Name And Address Of Plaintiff _____

County _____ Telephone No. _____

VERSUS

Name And Address Of Defendant 1 _____

County _____ Telephone No. _____

Name And Address Of Defendant 2 _____

County _____ Telephone No. _____

Name And Address Of Plaintiff's Attorney _____

STATE OF NORTH CAROLINA
 In The General Court Of Justice
 District Court Division-Small Claims
 _____ County

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

FINDINGS

The Court finds that:
 1. a. the plaintiff has proved the case by the greater weight of the evidence.
 b. the plaintiff has failed to prove the case by the greater weight of the evidence.
 c. the plaintiff requested and was entitled to a judgment for possession based on the pleading.
 2. the defendant(s) was was not present. The defendant was served by postings.
 3. a. there is no dispute as to the amount of rent in arrears, and the amount is \$ _____.
 b. there is an actual dispute as to the amount of rent in arrears. The defendant(s) claims the amount of rent in arrears is \$ _____, and this amount is the undisputed amount of rent in arrears.
 4. other:

ORDER

It is ORDERED that:
 1. the defendant(s) be removed from and the plaintiff be put in possession of the premises described in the complaint.
 2. this action be dismissed with prejudice.
 3. this action be dismissed with prejudice because the defendant tendered the rent due and the court costs of this action.
 4. the plaintiff recover rent of the defendant(s) in the amount and at the rate listed below, plus other damages in the amount indicated. The plaintiff is also entitled to interest on the total principal sum from this date until the judgment is paid.
 5. other: (specify)

6. costs of this action are taxed to the plaintiff. defendant.

Rate Of Rent Mo. Wk. Amt. Of Rent In Arrears (Owed To Date) Judgment Announced And Signed In Open Court
 \$ _____ per \$ _____ Date _____
 Amount Of Other Damages \$ _____ Signature Of Magistrate

TOTAL AMOUNT \$ _____
 Name Of Party Announcing Appeal In Open Court

CERTIFICATION

(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)
 I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.
 Date _____ Signature Of Magistrate _____

File No. _____
 Abstract No. _____
 Film No. _____

Judgment Docket Book And Page No. _____

**JUDGMENT
 IN ACTION FOR
 SUMMARY EJECTMENT**
 G.S. 7A-210(2), 7A-224; 42-30
 Name And Address Of Plaintiff _____

County _____ Telephone No. _____

VERSUS
 Name And Address Of Defendant 1 _____

County _____ Telephone No. _____

Name And Address Of Defendant 2 _____

County _____ Telephone No. _____

Name And Address Of Plaintiff's Attorney _____

County _____ Telephone No. _____

File No.

Film No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District Court Division-Small Claims

County

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

**JUDGMENT
IN ACTION ON POSSESSORY
LIEN ON MOTOR VEHICLE**

G.S. 44A-4

Name And Address Of Plaintiff

Telephone No.

County

Telephone No.

VERSUS

Name And Address Of First Defendant

Make/Year Of Vehicle

Repairs \$

Towing \$

Storage Cost to Date \$

Vehicle Rental \$

Total Lien Claimed To Date \$

(Plus Storage @ \$ Per Day Until Sold)

Name And Address Of Second Defendant

ORDER

It is ORDERED that:

- the plaintiff recover nothing of the defendant and that this action be dismissed with prejudice.
- the lien is valid and enforceable by sale and the Division of Motor Vehicles shall transfer title to the person who purchases at the sale upon proof that proper notice of sale has been given.

Judgment Announced And Signed In Open Court

Name Of Party Announcing Appeal In Open Court

Date

Signature Of Magistrate

Name And Address Of Plaintiff's Attorney

Date

CERTIFICATION

(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)
I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date

Signature Of Magistrate

(TYPE OR PRINT IN BLACK INK)
STATE OF NORTH CAROLINA

_____ County

File No.

Abstract No.

Judgment Docket Book And Page No.

Date Judgment Filed

In The General Court Of Justice

District Superior Court Division

Name Of Judgment Creditor (Plaintiff)

VERSUS

Name Of Judgment Debtor (Defendant)

**MOTION TO CLAIM
EXEMPT PROPERTY
(STATUTORY EXEMPTIONS)**
(Use if judgment filed after 1/1/06)

G.S. 1C-1603(c)

NOTE TO JUDGMENT DEBTOR: *The Clerk of Superior Court cannot fill out this form for you. If you need assistance, you should talk with an attorney. **THERE ARE CERTAIN EXEMPTIONS UNDER STATE AND FEDERAL LAW THAT YOU ARE ENTITLED TO CLAIM IN ADDITION TO THE EXEMPTIONS LISTED BELOW.** These exemptions may include social security, unemployment, and workers' compensation benefits and earnings for your personal services rendered within the last 60 days. There is available to you a prompt procedure for challenging an attachment or levy on your property.*

You must pay \$20 to the Clerk of Superior Court to file this document. Payment can be made in cash, cashier's check or money order. If you cannot afford to pay this fee you can apply to the Clerk to file as an indigent by completing form "PETITION TO SUE/APPEAL/FILE MOTIONS" AOC-G-106.

I, the undersigned, move to set aside the property claimed below as exempt.

1. I am a citizen and resident of _____.
2. a. I am married to _____.
 b. I am not married.
3. My current address is _____.
4. The following persons are dependent on me for support:

Name(s) Of Person(s) Dependent On Me	Age	

5. I wish to claim as exempt (*keep from being taken*) my interest in the following real or personal property, or in a cooperative that owns property, that I use as a residence. I also wish to claim my interest in the following burial plots for myself or my dependents. I understand that my total interest claimed in the residence and burial plots may not exceed \$35,000.00 except that if I am unmarried and am 65 years of age or older, I am entitled to claim a total exemption in the residence and burial plots not to exceed \$60,000.00 so long as the property was previously owned by me as a tenant by the entireties or as a joint tenant with rights of survivorship, and the former co-owner of the property is deceased.

Street Address Of Residence

County Where Property Located

Township

No. By Which Tax Assessor Identifies Property

Legal Description (*Attach a copy of your deed or other instrument of conveyance or describe property in as much detail as possible. Attach additional sheets if necessary.*)

- I am unmarried and 65 years of age or older and this property was previously owned by me as a tenant by entireties or as a joint tenant with rights of survivorship and the former co-owner of the property is deceased.

Name(s) Of Owner(s) Of Record Of Residence

Estimated Value Of Residence (*What You Think You Could Sell It For*)

\$

Amount Of Lien(s) And Name(s) And Address(es) Of Lienholder(s): (How much money is owed on the property and to whom)	Current Amount Owed
	\$
	\$
Location Of Burial Plots Claimed	Value Of Burial Plots Claimed
	\$

6. I wish to claim the following personal property consisting of household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments as exempt from the claims of my creditors (*in other words, keep them from being taken from me*). These items of personal property are held primarily for my personal, family or household use.

I understand that I am entitled to personal property worth the sum of \$5,000.00. I understand I am also entitled to an additional \$1,000.00 for each person dependent upon me for support, but not to exceed \$4,000.00 for dependents. I further understand that I am entitled to this amount after deducting from the value of the property the amount of any valid lien or security interest. Property purchased within ninety (90) days of this proceeding may not be exempt. (*Some examples of household goods would be TV, appliances, furniture, clothing, radios, record players.*)

Item Of Property	Fair Market Value (What You Could Sell It For)	Amount Of Lien Or Security Interest (Amount Owed On Property)	Name(s) Of Lienholder(s) (To Whom Money Is Owed)	Value Of Debtor's (Defendant's) Interest (Fair Market Value Less Amount Owed)
	\$	\$		\$
	\$	\$		\$
	\$	\$		\$

7. I wish to claim my interest in the following motor vehicle as exempt from the claims of my creditors. I understand that I am entitled to my interest in one motor vehicle worth the sum of \$3,500.00 after deduction of any valid liens or security interests. I understand that a motor vehicle purchased within ninety (90) days of this proceeding may not be exempt.

Make And Model	Year	Name Of Title Owner Of Record
Fair Market Value (What You Could Sell It For)		Name Of Lienholder(s) Of Record (Person(s) To Whom Money Is Owed)
\$		
Amount Of Liens (Amount Owed)		Value Of Debtor's (Defendant's) Interest (Fair Market Value Less Amount Owed)
\$		\$

8. (This item is to claim any other property you own that you wish to exempt.) I wish to claim the following property as exempt because I claimed residential real or personal property as exempt that is worth less than \$35,000.00, or I made no claim for a residential exemption under section (5) above. I understand that I am entitled to an exemption of up to \$5,000.00 on any property only if I made no claim under section (5) or a claim that was less than \$35,000.00 under Section (5). I understand that I am entitled to claim any unused amount that I was permitted to take under section (5) up to a maximum of \$5,000.00 in any property. (*Examples: If you claim \$34,000 under section (5), \$1,000 allowed here; if you claim \$30,000 under section (5), \$5,000 allowed here; if you claim \$35,000 under section (5), no claim allowed here.*) I further understand that the amount of my claim under this section is after the deduction from the value of this property of the amount of any valid lien or security interests and that tangible personal property purchased within ninety (90) days of this proceeding may not be exempt.

Item Of Personal Property Claimed	Fair Market Value	Amount Of Lien(s)	Name(s) Of Lienholder(s)	Value Of Debtor's (Defendant's) Interest
	\$	\$		\$
	\$	\$		\$
	\$	\$		\$
	\$	\$		\$

Real Property Claimed (*I understand that if I wish to claim more than one parcel, I must attach additional pages setting forth the following information for each parcel claimed as exempt.*)

Street Address		Estimated Value Of Property (What You Could Sell It For)
		\$
County Where Property Located	Township	No. By Which Tax Assessor Identifies Property

Description (*Attach a copy of your deed or other instrument of conveyance or describe the property in as much detail as possible.*)

VERSUS	<i>File No.</i>	<i>Abstract No.</i>
<i>Name Of Judgment Creditor (Plaintiff)</i>	<i>Judgment Docket Book And Page No.</i>	<i>Date Judgment Filed</i>

<i>Name And Address Of Lienholder</i>	<i>Current Amount Owed</i>
	\$
<i>Name And Address Of Lienholder</i>	<i>Current Amount Owed</i>
	\$

(Attach additional sheets for more lienholders.)

9. I wish to claim the following items of health care aid (*wheelchairs, hearing aids, etc.*) necessary for myself my dependents.

Item	Purpose

10. I wish to claim the following implements, professional books, or tools (not to exceed \$2,000.00), of my trade or the trade of my dependent. I understand such property purchased within ninety (90) days of this proceeding may not be exempt.

Item	Estimated Value <i>(What You Could Sell It For)</i>	What Business Or Trade Used In
	\$	
	\$	
	\$	

11. I wish to claim the following life insurance policies whose sole beneficiaries are my spouse and/or my children as exempt.

Name Of Insurer	Policy Number	Beneficiary(ies)

12. I wish to claim as exempt the following compensation that I received or to which I am entitled for the personal injury of myself or a person upon whom I was dependent for support, including compensation from a private disability policy or an annuity, or compensation that I received for the death of a person upon whom I was dependent for support. I understand that this compensation is not exempt from claims for funeral, legal, medical, dental, hospital or health care charges related to the accident or injury that resulted in the payment of the compensation to me. *(Add additional sheets if more than one amount of compensation.)*

<i>Amount Of Compensation</i>	<i>Method Of Payment Lump Sum Or Installments (If Installments, State Amount, Frequency And Duration Of Payments)</i>
<i>Location/Source Of Compensation</i>	
\$	

13. I wish to claim my individual retirement accounts, including Roth accounts, and individual retirement annuities (IRA's) that are listed below.

<i>Name Of Custodian Of IRA Account</i>	<i>Type Of Account</i>	<i>Account Number</i>
<i>Name Of Custodian Of IRA Account</i>	<i>Type Of Account</i>	<i>Account Number</i>

14. I wish to claim the following funds I hold in a college savings plan that is qualified under section 529 of the Internal Revenue Code, not to exceed \$25,000.00. I understand that the plan must be for my child and must actually be used for the child's college expenses. I understand that I may not exempt any funds I placed in this account within the preceding 12 months, except to the extent that any contributions were made in the ordinary course of my financial affairs and were consistent with my past pattern of contributions.

College Savings Plan	Account Number	Value	Name(s) Of Child(ren) Beneficiaries
		\$	
		\$	

(Over)

15. I wish to claim the following retirement benefits to which I am entitled under the retirement plans of other states and governmental units of other states. I understand that these benefits are exempt only to the extent these benefits are exempt under the law of the state or governmental unit under which the benefit plan was established.

State/Governmental Unit	Name of Retirement Plan	Identifying Number

16. I wish to claim as exempt any alimony, support, separate maintenance, or child support payments or funds that I have received or that I am entitled to receive. I understand that these payments are exempt only to the extent that they are reasonably necessary for my support or for the support of a person dependent on me for support.

Type Of Support	Person Paying Support	Amount Of Support	Location Of Funds

17. The following is a complete listing of my property which I do **NOT** claim as exempt.

Item	Location	Estimated Value
		\$
		\$
		\$

18. I certify that the above statements are true.

<i>Date</i>	<i>Signature Of Judgment Debtor/Attorney For Debtor (Defendant)</i>
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19. A copy of this Motion was served on the judgment creditor (plaintiff) by: delivering a copy to the judgment creditor (plaintiff) personally delivering a copy to _____, the judgment creditor's attorney. depositing a copy of this Motion in a post-paid properly addressed envelope in a post office, addressed to the judgment creditor (plaintiff) at the address shown on the notice of rights served on me. depositing a copy of this motion in a post-paid properly addressed envelope in a post office, addressed to the judgment creditor's (plaintiff's) attorney at the following address: _____

<i>Date</i>	<i>Address And Phone Number Of Attorney For Debtor (Defendant)</i>
<i>Signature Of Judgment Debtor/Attorney For Debtor (Defendant)</i>	

STATE OF NORTH CAROLINA

File No.

Film No.

_____ County

In The General Court Of Justice

District Superior Court Division Small Claims

Name Of Plaintiff/Petitioner

VERSUS

Name Of Defendant/Respondent

ORDER

DISMISSAL With Prejudice Without Prejudice

This action is dismissed for the following reason:

- The plaintiff elected not to prosecute this action and has moved for dismissal.
- Neither the plaintiff, nor the defendant appeared on the scheduled trial date.
- The plaintiff failed to appear on the scheduled trial date; the defendant did appear on that date and has moved to dismiss this action.
- Other:

DISCONTINUANCE [G.S. 1A-1, Rule 4(e)]

The defendant has never been served in this action, and more than ninety (90) days have elapsed since the last summons was issued.

CONTINUANCE

The trial of this action is continued to the following date and time on motion of the

- Plaintiff
- Defendant
- Judge or Magistrate
- Other: (specify)

Date Of New Trial

Time Of New Trial

AM PM

Location Of New Trial

BANKRUPTCY

It is ordered that this action be removed from the active calendar and placed on inactive status because a petition for bankruptcy has been filed staying this proceeding. This action may be reinstated if the claim is not resolved in the U.S. Bankruptcy or District Courts.

Date

Signature

Judge Magistrate
 Assistant CSC Clerk Of Superior Court

