

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY  
COURT NO. 13**

WILLIAM PENN VILLAGE APARTMENTS

Appellee  
Plaintiff Below,

VS

JOHN MILLS JR.  
SELENA TRAWICK

Appellant  
Defendant Below,

§  
§  
§  
§  
§  
§  
§  
§  
§

C.A. No. JP13-19-007822

TRIAL DE NOVO

Submitted: August 20, 2019

Decided: August 20, 2019

**APPEARANCES:**

William Penn Village Apartments, appeared represented by agent Shernett Paul, Plaintiff  
John Mills Jr and Selena Trawick, appeared represented by John D. Stant, Esq

Sean P. McCormick, Deputy Chief Magistrate

Marie E. Page, Justice of the Peace

Thomas P. Brown, Justice of the Peace

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY  
COURT NO. 13**

**CIVIL ACTION NO: JP13-19-007822**

**WILLIAM PENN VLG APTS VS JOHN MILLS JR. ET AL**

**ORDER ON TRIAL DE NOVO**

On August 20, 2019, a three judge panel consisting of Judge Marie Page, Judge Thomas Brown, and Deputy Chief Magistrate Sean McCormick considered on appeal the above-referenced matter, with the Plaintiff represented by Form 50 Agent Shernett Paul and the Defendants by John Stant, Esq. In her presentation to the panel, Ms. Paul ably and well-evidenced her case. Clearly a rental debt had occurred; in support of her case she evidenced a five-day letter, proof of mailing, the lease between the parties, subsequent reservation of rights letters (and related proofs of mailing) for all subsequent payments made by the Defendants; an invoice sent regarding damages to the property; a check received from state services (and related reservation of rights letter;) and a lease renewal dated 2/16/19. There was no objection to any of the documentation presented. Ms. Paul advised the panel that rent was now paid in full through September 10, 2019.

In response, no Defense was presented due to the fact that Ms. Paul had established beyond any doubt that the Plaintiff had established their right to possession based upon the late payment of rent. Instead, the Defense sought that, should the Defendants leave prior to September 10 that the balance of rent paid through the 10<sup>th</sup> be remitted to them. The panel was not so inclined to order such a remission due to the fact that state funds (paid by the Division of Social Services) were co-mingled.

Ultimately, it was the judgment of the panel that the Plaintiff was awarded possession, but that the writ of possession if sought could not be issued prior to September 11, 2019.

IT IS SO ORDERED 20th day of August, 2019

/s/ Sean P. McCormick (SEAL)  
Deputy Chief Magistrate,  
On behalf of the 3-Judge Panel

Information on post-judgment procedures for default judgment on Trial De Novo is found in the attached sheet entitled Justice of the Peace Courts Civil Post-Judgment Procedures Three Judge Panel (J.P. Civ. Form No. 14A3J).

VIEW YOUR CASE ONLINE: <https://courtconnect.courts.delaware.gov>