

COURT NO \_\_\_\_\_

CIVIL ACTION NO \_\_\_\_\_

**SAMPLE-SUMMARY POSSESSION**

**A** COURT ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

**B** PLAINTIFF(S) VS. **C** DEFENDANT(S)  
1) Name John Smith  
Address 123 Court Street  
Wilmington, DE 19808  
Phone (302) 123-4567  
2) Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

1) Name Jane Doe  
Address 456 Nemo Ave., Apt. 2  
Wilmington, DE 19808  
Phone (302) 890-1234  
2) Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

**D** Plaintiff's Attorney, if any:  
n/a

**E** Defendant's Attorney, if any:  
unknown

**F** Check One  Individual  Corporation or other  
Artificial entity (see Supreme Court Rule 57)

**G** Check One  Individual  Corporation or other  
Artificial entity (see Supreme Court Rule 57)

**H** Type of Service: Court Service   
(Check One) Special Process Server

**I** Rental Unit Address:  
456 Nemo Ave., Apt. 2  
Wilmington, DE 199808

**J** Type of Action: Debt  Trespass  Replevin  Summary Possession   
Deficiency Judgment (6 Del. C. § 9-504)  (Landlord/Tenant)

**COMPLAINT**

**K** 1. Concise Statement of Facts: (Who, What, When, Where, How?)  
Jane Doe signed lease with me (landlord /Plaintiff) to rent the above-listed apartment in May of 1997. The  
lease called for a rental payment of \$450.00 per month to be paid on the 1<sup>st</sup> of each month, with a late  
fee of \$20.00 if rent is paid after the 5<sup>th</sup> of the month. Ms. Doe failed to pay rent for November.  
Pursuant to the Landlord-Tenant Code, I sent a 5 day letter certified mail. (See copy enclosed)  
She failed to respond, so I am seeking rent plus possession.

IN TRESPASS ACTIONS: The injury caused by the trespass must be described by Plaintiff in the statement of facts:

**L** 2. Relief Sought:  
\$ 450.00 Amount of money claimed. (Not including interest)  
\$ \_\_\_\_\_ Pre Judgment Interest at \_\_\_\_\_ % legal rate or \_\_\_\_\_ % contractual rate beginning \_\_\_\_\_ (date).  
\$ \_\_\_\_\_ Post Judgment Interest at the legal rate OR contractual rate of \_\_\_\_\_ %  
\$ 30.00 Court Costs.  
\$ 20.00 Other late fee for Nov. '97, plus any rent that accrued in addition  
X Possession Jury Trial Demanded (Possession Only):  Yes  No  
Return of personal property or \$ \_\_\_\_\_ total value (Attach list of property stating description, number and  
value of items on 8 1/2" x 11" paper

TO: THE COURT OF THE JUSTICES OF THE PEACE  
Please docket the above-captioned case and issue a Summons to the above-named Defendant(s) to appear before you so there may be a trial on  
this case and judgment for the Plaintiff(s), together with interest and costs of this proceeding: or, for an Attachment in Lieu of Summons, please  
issue same and direct the Constable to execute the proper process. I acknowledge, that unless a jury trial is demanded for summary possession  
(Landlord Tenant cases), I waive trial by jury of the claims in this complaint.

**M** \_\_\_\_\_  
11/24/97  
Date

\_\_\_\_\_  
John Smith  
Plaintiff or Plaintiff's Attorney