

Sample Notice of Appeal of a Justice of the Peace Court Civil Case. This is to be used by the Plaintiff Below in the Justice of the Peace Court (now the Appellant in the Court of Common Pleas)

**IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE**

**IN AND FOR (Kent, New Castle, Sussex) COUNTY**

PLAINTIFF(S) BELOW, )  
APPELLANT(S), )

v. )

) Civil Action No: \_\_\_\_\_

) (This number is to be assigned by  
) by the clerk)

DEFENDANT(S) BELOW, )  
APPELLEE(S), )

**NOTICE OF APPEAL**

**COMES NOW,** \_\_\_\_\_, and

hereby gives notice pursuant to 10 Del.C. § 9571, of an appeal of the decision of

Justice of the Peace Court No. \_\_\_\_\_, by The Honorable \_\_\_\_\_

\_\_\_\_\_, Civil Action No. \_\_\_\_\_,

dated: \_\_\_\_\_.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address : \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

Sample Praecipe for a Justice of the Peace Court Civil Case. This is to be used by the **Plaintiff Below** in the Justice of the Peace Court (now the Appellant in the Court of Common Pleas)

**IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE**

**IN AND FOR (Kent, New Castle, Sussex) COUNTY**

PLAINTIFF(S) BELOW, )  
APPELLANT(S), )

v. )

Civil Action No: \_\_\_\_\_

*(This number is to be assigned by the clerk)*

DEFENDANT(S) BELOW, )  
APPELLEE(S), )

**PRAECIPE**

Please issue Summons to the Sheriff of (*Kent, New Castle, Sussex*) County for Service on Defendant(s) Below /Appellee(s) at the following address(es):

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Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address : \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

Sample Summons on Appeal of a Justice of the Peace Court Civil Case. This is the first pleading to be used by the **Plaintiff Below** in the Justice of the Peace Court (now the Appellant in the Court of Common Pleas)

**IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE**

**IN AND FOR (*Kent, New Castle, Sussex*) COUNTY**

PLAINTIFF(S) BELOW, )  
APPELLANT(S), )

v. )

**SUMMONS ON APPEAL**

DEFENDANT(S) BELOW, )  
APPELLEE(S), )

TO THE STATE OF DELAWARE,

TO THE SHERIFF OF (*Kent, New Castle, Sussex*) COUNTY:

YOU ARE COMMANDED:

To summon the above-named Appellee so that, within twenty (20) days after service upon Appellee, exclusive of the day of service, Appellee shall serve a copy of the Answer upon Appellant whose address is: \_\_\_\_\_

TO THE ABOVE-NAMED APPELLEE:

The original of your Answer must be filed with the Clerk's Office of the Court of Common Pleas, (*address of the Court **MUST** be inserted here*)

If you fail to serve a copy of your Answer on Appellant named above within twenty (20) days after service upon you, exclusive of the day of service, the judgment may be entered by the Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Court

Below is an Example of what a **Complaint** may look like. Do not copy it exactly because there are things included such as names of parties, case number and the claims themselves that will be different for your case.

**IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE**

**IN AND FOR (Kent, New Castle, Sussex) COUNTY**

JOHN DOE, )  
)  
Plaintiff(s) Below, )  
Appellant(s), )  
) Civil Action No. 1999-01-123  
v. )  
)  
MARY ROE, )  
)  
Defendant(s) Below, )  
Appellee(s). )

**COMPLAINT**

1. Plaintiff is a citizen of the State of Delaware.
2. Defendant is a citizen of the State of Delaware residing at 79 Whistful Vista, Anytown.
3. On or about January 2, 20XX, Defendant borrowed from Plaintiff the sum of \$5,000.00 promising to repay that amount within 120 days with interest at the rate of 10 percent.
4. Defendant did not repay the loan.
5. Plaintiff, therefore, asks the Court to award the Plaintiff that amount accrued with interest.

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JOHN DOE (Plaintiff)  
1234 Main Street  
Anytown, Delaware  
(302) 961-1515

Date: \_\_\_\_\_