

Sample Summons on Appeal of a Justice of the Peace Court Civil Case. This is the first pleading to be used by the Defendant 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**

DEFENDANT(S) BELOW, )  
APPELLANT(S), )

v. )

**SUMMONS ON APPEAL**

PLAINTIFF(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 **Complaint** upon Appellant whose address is: \_\_\_\_\_

TO THE ABOVE-NAMED APPELLEE:

The original of your Complaint 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 Complaint on Appellant named above within twenty (20) days after service upon you, exclusive of the day of service, the judgment may be dismissed by the Court.

\_\_\_\_\_  
Date

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