

IN THE JUSTICE OF THE PEACE COURT OF

THE STATE OF DELAWARE, IN AND FOR _____ COUNTY

COURT NO _____

CIVIL ACTION NO

SAMPLE-TRESPASS

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:

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?)
I, John Smith, own the property located at 458 Nemo Avenue, next door to Ms. Doe. On Saturday 9/6/97
Ms. Doe was cutting down a large pine tree in her back yard. When the tree dropped, it landed on my lawn
Mower that I let my tenants use to cut the grass. I replaced the mower with a similar model from Sears,
As the old one was destroyed. The new mower cost \$189.00. Despite a written demand, Ms. Doe has
Refused to reimburse me for the cost of the mower/

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

L 2. Relief Sought:
\$ 189.00 Amount of money claimed. (Not including interest)
\$ _____ Pre Judgment Interest at _____ % legal rate or _____ % contractual rate beginning _____ (date).
XX Post Judgment Interest at the legal rate OR contractual rate of _____ %
\$ 30.00 Court Costs.
\$ _____ Other _____
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