

**IN THE SMALL CLAIMS COURT OF VIRGINIA TOWNSHIP
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA**

Name of Defendant(s)/Counterclaimant(s)

Telephone Number:

Case No. _____

Versus

Name of Plaintiff(s)/Counterdefendant(s)

Telephone Number:

SMALL CLAIMS COUNTERCLAIM REPLY

There is no statutory filing fee for filling a Small Claims Counterclaim Reply. Each Plaintiff(s)/Counterdefendant(s) must file his or her own Reply.

PLEASE TYPE OR PRINT LEGIBLY.

Plaintiff's(s')/Counterdefendant's(s') Reply to the Counterclaim:

1. Are you currently a resident of Storey County? YES NO
2. Do you currently do business in Storey County? YES NO
3. Are you currently employed within Storey County? YES NO

Please check the applicable box below.

- I agree that I owe the amount of money claimed by the Defendant(s)/Counterclaimant(s).
- I do not agree that I owe the amount of money claimed by the Defendant(s)/Counterclaimant(s), for the following reasons:

Check here if you need more space. Add additional sheet(s) of paper and attach to this form with "SMALL CLAIMS COUNTERCLAIM REPLY" on top.

TO PLAINTIFF/COUNTERDEFENDANT: Your original Reply must be filed with the Virginia Township Justice Court Clerk's Office and a copy provided to the Defendant(s)/Counterclaimant(s) within 20 calendar days of service of the Counterclaim.

Your failure to Reply (respond to) the Counterclaim within 20 calendar days from service of the Counterclaim, may result in the Defendant(s)/Counterclaimant(s) filing a Motion for Default Judgment against you. This means the Judge may grant a Judgment for the Defendant(s)/Counterclaimant(s) based on the claims/allegations in the Counterclaim without considering your possible defense(s) or explanation(s).

You may file the original copy of your Reply at the Virginia Township Justice Court, 26 South B Street, Virginia City, Nevada, 89440.

Please check the applicable box below.

In conjunction with the filing of the Reply, I am mailing a copy of the Reply to the Defendant(s)/Counterclaimant(s) at the following address: _____.

Plaintiff's Signature: _____ Date: _____

Both the Defendant(s)/Counterclaimant(s) and Plaintiff(s)/Counterdefendant(s) will be notified by mail of the date and time that the Court has scheduled this Counterclaim for hearing

SUBSCRIBED AND SWORN to before me this _____ day of _____ 20 _____.	OR: UNSWORN DECLARATION: Per NRS 53.045 "I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."
NOTARY PUBLIC in and for the County of _____ State of _____	Date: _____ Signature: _____

**INSTRUCTIONS TO DEFENDANT(S)/COUNTERCLAIMANT(S) OR
PLAINTIFF(S)/COUNTERDEFENDANT(S) -- *Read Carefully***

1. The **Defendant/Counterclaimant** must file a Small Claims action in the township where the **Plaintiff/Counterdefendant** currently resides, works, or does business.
2. The **Defendant/Counterclaimant** cannot sue in Small Claims court for more than \$7,500.00, excluding interest and costs. Payment by the losing party of the attorney's fees of the winning party is not allowed except in cases involving shoplifting.
3. The **Defendant/Counterclaimant** must show the complete name and address of the **Plaintiff/Counterdefendant** in the caption (*Name and Address of Plaintiff(s)/Counterdefendant(s)*) to ensure service on the **Plaintiff/Counterdefendant**. If there are two **Plaintiff/(s) Counterdefendant(s)** and they reside at different addresses, the **Defendant/Counterclaimant** must include both addresses.
4. The **Defendant/Counterclaimant** may serve the **Plaintiff/Counterdefendant** by licensed private process server, a disinterested third party, or the Constable. A **Defendant/Counterclaimant**, himself or herself, may not serve the Small Claims Counterclaim on the **Plaintiff/Counterdefendant**. The fully completed Affidavit of Service Form must be filed immediately after the Counterclaim is served.
5. If a Small Claims Counterclaim is not served for one year after it is filed, the Judge or Clerk may dismiss the Counterclaim without prejudice (this means the Counterclaim may be refiled within the statute of limitations for such Counterclaims, but a new filing fee would be required).
6. The **PLAINTIFF/COUNTERDEFENDANT** must file a written Reply, no later than 20 calendar days from the date of service of the Counterclaim, making any defense to the claim.
7. Standard forms are supplied in order to expedite the handling of Small Claims. Forms are designed to cover the most common claims but are not specifically designed for any individual Counterclaim.

8. If **Plaintiff/Counterdefendant** believes the Counterclaim should be dismissed, **Plaintiff/Counterdefendant** may petition the Court to dismiss the Counterclaim and must explain the reasons for the request. A Motion to Dismiss form is available for use. It is designed to cover the most common reasons for dismissal but is not specifically designed for any individual Counterclaim.

9. Hearings in Small Claims Counterclaims are informal and are designed to promote fair and speedy justice. The **Defendant/Counterclaimant** and **Plaintiff/Counterdefendant** may offer evidence, including witnesses, to support their arguments.

10. If a court-appointed interpreter is needed for a party who does not speak English, or for a party with a communications disability, that party must file a written motion to request an interpreter, and the compensation for that interpreter shall be paid as provided by law.

14. The Virginia Township Justice Court Clerks can neither give legal advice nor assist in completing Court forms. If you need legal assistance, you should consult an attorney.

Forms are available on our website. Got to <http://storeycounty.org/justice/forms>